

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43989 of 2017

Arising Out of PS. Case No.-18 Year-2012 Thana- BYPASS District- Patna

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Mukesh Singh S/o Late Laldeo Singh resident of Village - Marcha, P.S. -
Bypass, District - Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Mahtab Ahmad

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 27-06-2018 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with

Bypass P.S. Case No. 18 of 2012, registered under Sections

341, 323, 326, 307, 504/34 and 302 of Indian Penal Code and

Section 27 of the Arms Act, pending in the Court of A.C.J.M.

Patna City, Patna.

Admittedly, the prayer for bail of the petitioner has

been rejected four times by this Court lastly on 19.08.2015

taking into consideration the direct allegation to shot fire at the

head of the deceased.

Learned counsel appearing on behalf of the

petitioner submits that petitioner is in custody since

09.05.2012, but the trial of the petitioner has not been

concluded as yet. A report has been received through letter No.

116, dated 23.01.2018 to the Court of learned Addl. District &



Sessions Judge-IV, Patna City, which disclosed that three months time will be consumed for conclusion of the prosecution evidence and, thereafter, the record will be fixed for recording the statements of accused under Section 313 Cr.P.C. Today, certified copy of order dated 25.06.2018 of Sessions Trial No. 1031 of 2014 has been filed by the learned counsel for the petitioner, which disclosed that in the said case the prosecution partly argued on 25.06.2010 and the next date is fixed for argument on 26.06.2010.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to reconsider the prayer for bail. Accordingly, the prayer for bail of the petitioner, above named, is rejected. However, learned Addl. District and Sessions Judge-IV, Patna City, is directed to conclude the trial of the petitioner within three months by taking all effective steps. If the trial of the petitioner is not concluded within the aforesaid period of three months, the petitioner would be at liberty to renew his prayer for bail.

Let the copy of this order be sent to the learned Addl. District and Sessions Judge-IV, Patna City for needful.

(Rajendra Kumar Mishra, J)

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