

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55472 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Saheb Jama Khan @ Pathan, son of Alamgir Khan, resident of village- Bari Takiya, P.S. Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

For the Informant : Mr. Kumar Sunil, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 04-10-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner seeks bail in **Chainpur P.S. Case No.35 of 2018** instituted for the offence under Section(s) 307 and other allied sections of Indian Penal Code and Section 27 of the Arms Act pending in the Court of the **Additional Chief Judicial Magistrate, II, Kaimur at Bhabhua.**

Counter Affidavit has been filed by the counsel for the informant with regard to criminal antecedents of the petitioner.

Counsel for the petitioner submits that there is general and omnibus allegation against the petitioner. No injury is caused to any body.



Counsel for the informant has submitted that the petitioner has suppressed the facts in para 3 with regard to criminal antecedents. Several cases are pending against the petitioners, which fact has come in the case diary. Counsel for the informant further submits that regular bail application of one of the accused has already been rejected by co-ordinate Bench of this Court by order dated 25.06.2018 passed in Cr. Misc. No.33968 of 2018.

A supplementary affidavit has been filed on behalf of the petitioner mentioning that besides the cases mentioned in para 3 of the bail petition, petitioner is accused in other cases also.

In the written report, there is allegation that the petitioner along with Gopal Yadav and Badam Yadav made firing upon the informant, which did not hit, and made demand of *Rangdari*.

The petitioner has suppressed the fact about criminal antecedents against him in para 3 of the bail petition. The regular bail of one of the accused has already been rejected by co-ordinate Bench of this court by order dated 25.06.2018 passed in Cr.Misc.No.33968 of 2018.

In such circumstances, this Court is not inclined to



enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected**.

It is submitted that petitioner is in custody since 11.05.2018. The Trial Court is directed to expedite the trial and make efforts to conclude the trial within a period of six months from the date of receipt of a copy of this order by giving short adjournments.

Liberty is given to the petitioner to renew the prayer for bail after six months if no substantial progress is made in trial.

(Sanjay Priya, J)

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