

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43979 of 2018

Arising Out of PS.Case No. -128 Year- 2017 Thana -MAHESHKHUNT District- KHAGARIA

- =====
1. Nirala Khan, son of Akbar Khan, resident of Village- English Banni,
 2. Captain Khan, son of Shahabuddin Khan, resident of Village-
Salimnagar,
Both of Police Station- Maheshkhunt, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate
For the State : Mr. Nityanand Tiwary, APP
For the Informant : Mr. Anil Kumar Choudhary, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State. Learned

counsel for the informant is also present.

The petitioners are in custody since 16.10.2017 in
connection with S.C. No.144 of 2018, corresponding to
Maheshkhunt P.S. Case No.128 of 2017, registered for the
offences under Sections 307 and 120B of the Indian Penal Code
and Section 27 of the Arms Act, which is pending in the court of
the learned Additional Sessions Judge-II, Khagaria.

The petitioners seek to renew their prayer for bail on
the ground that liberty had been accorded in the earlier order
dated 19.02.2018 passed in Cr.Misc. No.304 of 2018 to approach



the court below after framing of charge. Thus, the petitioners have prayed for bail as they have already been in custody since 16.10.2017.

Learned counsel for the informant submits that the petitioners were the main accused persons and the trial has already commenced and out of five witnesses, three have already been examined and two witnesses have remained to be examined and thereafter, the trial will proceed to conclude.

Having considered all facts and circumstances and in view of the fact that the trial has proceeded substantially, the prayer for bail of the petitioners stands rejected.

The trial court is, however, directed to proceed on day to day basis and conclude the trial positively within a period of six months from the date of receipt/production of a copy of this order.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--

