

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61967 of 2017

Arising Out of PS. Case No.-167 Year-2016 Thana- AMARPUR District- Banka

Prabhash Mandal, S/o Naresh Mandal, Resident of Village- Mainath Chak,
Police Station- Amarpur, District- Banka.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr.
For the State	:	Mr.
For the Informant	:	Mr.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-03-2018 Let the supplementary affidavit filed on behalf of the
petitioner be kept on the record.

Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the
informant.

The petitioner seeks bail in connection with Amarpur P.S.
Case No.167 of 2016 registered under Sections 147, 148, 149,
341, 323, 324, 448 and 307 of the Indian Penal Code besides
Section 27 of the Arms Act, pending in the court of the 1st
Additional Sessions Judge, Banka.

Learned counsel for the petitioner submits that the prayer
for bail of the petitioner was rejected twice by this Court, lastly,
vide order dated 02.08.2017 passed in Criminal Misc. No.36534
of 2017. Further submission is that the allegation against the



petitioner is to cause firearm injury at the chest of Siyaram Yadav. In the medical examination of Siyaram Yadav, the opinion, regarding the nature of injury no.1 of Siyaram Yadav, has been kept reserved. The petitioner having no criminal antecedent is in custody since 18.11.2016.

Learned counsel for the informant opposed the prayer of the petitioner for grant of bail with the submission that the trial of the petitioner has already been started and three prosecution witnesses have already been examined. There is chance of conclusion of the trial of the petitioner within three months.

Having regard to the facts and the circumstances of the case and considering the nature of allegation against the petitioner, I am not inclined to reconsider the prayer of the petitioner for grant of bail. Accordingly, the prayer of the petitioner for grant of bail stands rejected. However, the learned trial court is directed to conclude the trial of the petitioner within four months by taking all effective steps. If the trial of the petitioner is not concluded within a period of four months, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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