

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15911 of 2018

Arising Out of PS. Case No.-39 Year-2001 Thana- NAUBATPUR District- Patna

Nirbhay Singh S/o late Durga Singh R/o Supauli, P.S. Masaurhi, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 09-05-2018 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner, already in custody, seeks bail in connection with Naubatpur P.S. Case No.39 of 2001, giving rise to Sessions Trial No.210(A) of 2004, registered under Sections 147, 148, 149, 302, 307, 452, 380 and 427 of the Indian Penal Code as well as under Section 27 of the Arms Act.

Allegation in brief is that due to electrification, two villages had rivalry and it is alleged that the accused persons went to the informant's village and specific allegation against the petitioner is that he shot at the informant's son causing his death.

Learned counsel for the petitioner submits that it was



not a personal rivalry rather rivalry between two villages and it is difficult to find out that who killed the son of the informant. It is also submitted that some of the co-accused were earlier put on trial and on account of lack of evidence, they were acquitted.

However, this is a case of the year 2001 and the petitioner appears to be absconded for a long period having specific accusation against him and the trial already in progress, so presently the prayer of bail of the petitioner is rejected in connection with Naubatpur P.S. Case No.39 of 2001, pending in the court of learned Additional District & Sessions Judge-I, Danapur, Patna and the trial court is directed to expedite the trial and preferably conclude the same within seven months.

However, if the trial does not conclude within the stipulated period, the petitioner may renew his prayer of bail.

(Arun Kumar, J)

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