

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51929 of 2018

Arising Out of PS.Case No. -139 Year- 2016 Thana -RUPASPUR District- PATNA

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Md. Neshleuddin @ Neshle @ Sonu @ Neshle Miyta @ Neshleuddin son of Rafiz Khan @ Jafir Mistry @ Jafir, At Present resident of- C/o Ashok Ram, Durga Sthan, Shekhpura More, P.S.- Airport, District- Patna, permanent resident of Village- Chand Patti, P.S.- Sursand, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Samir Kumar

For the Opposite Party : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 20-09-2018

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Rupaspur P.S. Case No. 139 of 2016 registered for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code and 25(1-b)a, 26 & 35 of the Arms Act and 47 of the Bihar Prohibition and Excise Act, pending in the court of learned Special Judge, Excise, Patna.

Learned counsel for the petitioner submits that the petitioner is in custody in connection with the present case since 15.07.2016.

It is submitted that as per the allegations in the fardbeyan of the S.H.O. of Rupaspur Police Station, who has



registered an F.I.R. on his own statement, that the petitioner was caught when he was trying to escape seeing the police party. It is alleged that from the possession of this petitioner a country made loaded pistol with two live cartridges were seized. Thereafter, it is alleged that at the instance of this petitioner certain recoveries were made from the house of this petitioner which are said to be the looted properties.

Learned counsel submits that even though in paragraph-3 it is stated that there are three cases against this petitioner, however one of the cases has been registered when the petitioner was inside the jail.

It is submitted that the petitioner has been granted bail in all other cases mentioned in paragraph-3 of this application.

Learned Additional Public Prosecutor for the State is present.

Considering the facts and circumstances of this case whereunder the petitioner is said to be in custody since 15.07.2016, instead of granting bail to this petitioner at this stage, this court would direct that the trial be expedited in the court below, and in case the trial is not concluded within the next six months, the petitioner may renew his prayer for bail.



The trial court shall proceed with the matter without granting unnecessary adjournment to the parties.

Accordingly, prayer for bail of the petitioner is rejected and this application is dismissed at this stage.

(Rajeev Ranjan Prasad, J)

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