

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12881 of 2019

Arising Out of PS. Case No.-142 Year-2018 Thana- MATIHANI District- Begusarai

Moni Singh @prabhakar Singh @dipak Son of Ram Sewak Singh Resident of
village- Sihma Uttarwari Tola, P.S-Matihani, Dist.-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

6 30-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 25(1-a), 25(1-a)a, 25(1-B)a/26/35 of the Arms Act and
Section 414 of the Indian Penal Code.

Allegedly, the petitioner was found having AK-47
automatic rifle with live cartridges.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 24-10-2018. Charge
sheet has already been submitted. The petitioner has been
falsely implicated in the present case. There is no other
substantive evidence to suggest the implication of the petitioner
in the present case. There is no compliance of Section 100
Cr.P.C.



On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. From his possession, one AK-47 automatic rifle with live cartridges is alleged to have been recovered. The petitioner has got six criminal cases pending against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Matihani P.S. Case No. 142 of 2018 stands rejected.

Learned trial court is directed to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of copy of this order.

The District Magistrate and the Superintendent of Police, Katihar are directed to ensure the production of prosecution witnesses on the date fixed by the trial court, so that, the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Katihar for needful.

(Sudhir Singh, J)

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