

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32514 of 2019

Arising Out of PS. Case No.-165 Year-2014 Thana- AMNAUR District- Saran

ANIL SAHANI Son of Baijnath Sahani @ Sukul Sahani Resident of Village -
Badhichak Dihi, P.S.- Maner, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Kanhaiya Kishore (App 100)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 11-09-2019 Earlier the prayer for bail of the petitioner was

rejected by order dated 08.02.2018, passed in Criminal

Miscellaneous No.20159 of 2017.

Allegation as per F.I.R. is that petitioner and others

exploded away the brick kiln of the informant and apart from

that he is accused in four other cases.

Submission of learned counsel for the petitioner is

that he is in custody since 11.03.2016 and one of the accused

has been granted bail by this Court, vide order dated 09.01.2019

passed in Criminal Miscellaneous No.71941 of 2018.

Heard learned A.P.P. also and perused the report of

the Superintendent of Police, Saran from which it appears that

the original record is pending before the vacant court of learned

Additional Sessions Judge-6th, Saran for framing of the charges



against other accused persons and trial of the petitioner is pending before the court of learned Additional Sessions Judge-10th, Saran.

Having heard both sides and in view of the facts as stated above, I am not inclined to grant privilege of bail to the petitioner for the present.

However, the learned Sessions Judge, Saran is directed to look into the matter and transfer both cases from the vacant court of learned Additional Sessions Judge-6th, Saran to the court of learned Additional Sessions Judge-10th, Saran and to see that the record is sent to the court of learned Additional Sessions Judge-10th, Saran without any further delay so that trial may commence as from the letter of the Superintendent of Police, Saran, it appears that the separate trial against other accused is also pending for framing of the charge. The learned trial court i.e. 10th Additional Sessions Judge, Saran will also see the feasibility of amalgamation of both trials once the charge is framed in another case.

(Vinod Kumar Sinha, J)

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