

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38115 of 2019

Arising Out of PS. Case No.-121 Year-2004 Thana- MANJHI District- Saran

Raesh Khan @ Raiyesh Khan Son of Kamrul Khan Resident of Village-
Gyaspur, P.S.-Siswan, District-Siwan.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

7 18-12-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B), 34 of the
Indian Penal Code and Section 27 of the Arms Act.

Petitioner is named in the first information report with
accusation that he as well as others made indiscriminate firing
causing death of two persons.

Learned counsel of the petitioner submits that no
specific overt-act has been attributed against the petitioner and
moreover, one co-accused, namely, Ayoob Khan, having more
or less similar allegation, has already been granted privilege of
bail by a co-ordinate Bench of this court vide order dated
24.09.2012 passed in Cr. Misc. No. 27094 of 2012.



Perusal of record goes to show that the case was registered in the year 2004 and petitioner could be remanded in this case on 20.01.2018. Para 3 of the bail petition goes to show that petitioner was accused in 18 cases of serious nature.

The trial court vide letter no. 175 dated 24.07.2019 has reported that trial of the petitioner is still pending for framing of the charge.

Regard being had to the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Manjhi P.S. Case No. 121 of 2004 corresponding to Sessions Trial No. 91 of 2018 stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

The office is directed to return the carbon copy of the case diary to concerned court without any delay.

(Hemant Kumar Srivastava, J)

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