

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48363 of 2019

Arising Out of PS. Case No.-291 Year-2004 Thana- GAIGHAT District- Muzaffarpur

Abhishek Singh Son of Upendra Narayan Singh @ Upendra Singh Resident
of Village - Naraha @ Nahra, P.S.- Mejarganj, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
302, 379, 120(B)/34 of the Indian Penal Code and 27 of the Arms
Act.

The prosecution case, in brief, is that the accused persons
variously armed made indiscriminate firing, as a result of which, the
deceased died.

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 26-11-2018. Charge sheet has
already been submitted. The petitioner has been falsely implicated in
the present case. The other co-accused namely, Neelam Shakti @
Mantu Sharma with similar allegation has already been granted bail.

On behalf of the State, it is submitted that the petitioner is
named in the Complaint Case/F.I.R. The petitioner has got five



criminal antecedents. He has been absconding for last ten years. There is direct allegation of firing against the petitioner alongwith other accused persons.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 381 of 2019 arising out of Gaighat P.S. Case No. 291 of 2004 is rejected.

The 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, Muzaffarpur 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, Muzaffarpur for needful.

(Sudhir Singh, J)

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