

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67619 of 2019

Arising Out of PS. Case No.-1326 Year-2018 Thana- BIHTA District- Patna

Dasai Yadav @ Dasai Rai Son of Late Ram Das Rai Resident of Village-
Doghara, Police Station- Bihta, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gajendra Pratap Singh
For the Opposite Party : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his prayer for bail in connection with Bihta P.S. Case No. 1326 of 2018 registered inter alia under Sections 302 of the Indian Penal Code and 27 of the Arms Act. His application for bail was earlier rejected by this Court by a reasoned order dated 21.05.2019 passed in Cr.Misc. No. 16672 of 2019 observing that he would be at liberty to renew his prayer for bail in the court below itself after the charges are framed.

Admittedly, charges have yet not been framed. On query as to whether the case has been committed to the court of Sessions for trial or not, learned counsel appearing for the petitioner submitted that he has no instruction in this



regard.

As there is no changed circumstance, for the reasons stated in the order dated 21.05.2019, I am not inclined to grant bail to the petitioner. His prayer for bail is rejected once again.

However, in case, the case has not yet been committed to the court of Sessions, the learned A.C.J.M.-I, Danapur, Patna is directed to commit the case of the petitioner to the court of Sessions for trial forthwith.

Once the case is committed to the court of Sessions, the learned Sessions Judge, Patna shall ensure that the case is transferred to the court of Additional Sessions Judge at Danapur and charges are framed without any undue delay.

Once the charges are framed, the petitioner would be at liberty to move for bail before the court of Sessions.

(Ashwani Kumar Singh, J)

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