

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56308 of 2018

Arising Out of PS. Case No.-67 Year-2015 Thana- NARDIGANJ District- Nawada

Rajesh Pandey @ Rakesh Pandey @ Vivekanand Pandey, S/o Late Jagdish Pandey, R/o Vill.- Ramey, P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate.

For the Opposite Party/s : Mr.Sri Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 16-01-2019 Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner is accused in connection with Nardiganj P.S. Case No. 67 of 2015 registered under Sections 147, 148, 149, 341, 307, 379, 504 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the prayer of the bail of the petitioner was earlier rejected thrice, lastly on 24.01.2018 in Criminal Misc. No. 46394 of 2017, whereunder direction was given to the court below to take all effective steps to conclude the trial of the petitioner within six months. If the trial of the petitioner is not concluded within six months, the petitioner shall be at liberty to renew his prayer for



bail. It is further submitted that petitioner is in custody for about 3 years and more than six months have already been elapsed after passing the order dated 24.01.2018 but the trial of the petitioner has not been concluded and the case is running for prosecution evidence.

On the other hand, learned counsel for the informant submits that, in fact, due to delay tactic of the defence, anyhow charge was framed on 06.12.2018 after rejecting the discharge petition, which has been filed on behalf of the co-accused, Rabindra Singh on 01.11.2018.

Admittedly, petitioner appears to be in custody for about 3 years and in view of the order dated 24.01.2018 passed in Criminal Misc. No. 46394 of 2017, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate -VI, Nawada, in connection with Nardiganj P.S. Case No. 67 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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