

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6212 of 2020**

Arising Out of PS. Case No.-88 Year-2017 Thana- JHAJHA District- Jamui

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UMESH MARANDI @ ASAMI @ CHOTA BHEEM @ MANOJ DA S/o
Late Shyam Marandi R/o Village and P.O.- Boyrali, P.S.- Kachugaon @
Kuchugaon, District- Kokrajhar, State- Assam.

... .. Petitioner

Versus

1. The Union of India.
2. The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Brajesh Sahay, Advocate
For the Opposite Party/s : Mr.Ramchandra Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

7 01-09-2020 Heard learned counsel for the petitioner and Mr. Ram
Chandra Singh, learned A.P.P. for the State as also Mr. Shyam
Bihari Singh, learned counsel representing the Union of India.

Petitioner in the present case is seeking regular bail in
connection with Sessions Trial No. 371 of 2017 arising out of
Jhajha P.S. Case No. 88/2017, G.R. No. 583/2017 registered for
the offences punishable under Section 121, 121(A) & 120(B) of
the Indian Penal Code, Section 3 & 4 of Explosive Substance
Act, Section 25(1-B)a, 26 & 35 of the Arms Act and Section
16(1)(b), 18-A, 18-B, 19, 20, 38 & 39 of the Unlawful Activities
(Prevention) Act, 1967, pending in the court of Additional
District & Sessions Judge – I, Jamui.

The petitioner was arrested by the police party with



huge catchy of fire-arms and ammunitions. He is a resident of State of Assam.

Earlier on finding that despite charges having been framed against the petitioner the prosecution witnesses were not appearing, this called upon the Superintendent of Police, Jamui to respond. A report has also been received from the Superintendent of Police, Jamui. He has brought to the notice of this Court that in fact the three different trials are going on in connection with this case and in one of the trials of the co-accused the prosecution witnesses have appeared and he has now directed the witnesses to be present in Court for evidence on the next date.

Learned A.P.P. for the State has submitted that in view of recovery of huge amount of fire-arms that too band fire-arms like AK-47 and cartridges as also that the petitioner is a resident of State of Assam, if he is released on bail at this stage the trial will be further prolonged and it may be difficult for the court to get his appearance.

Having regard to the facts and circumstances of the case, the gravity of the offences and upon noticing the kind of fire-arms and ammunitions which have been allegedly seized from the possession of the petitioner and further that the



Superintendent of Police, Jamui has assured that now the witnesses will turn up in the trial also, this court is not inclined to release the petitioner on bail.

The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

The Superintendent of Police, Jamui shall ensure that all the official witnesses from his department and others must appear on the date fixed in course of trial. It is expected that after start of normal functioning of the Court, the trial is concluded preferably within a period of nine months.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

