

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20463 of 2020

Arising Out of PS. Case No.-36 Year-1998 Thana- NAYAGAON District- Begusarai

Sunil Singh @ Sunil Kumar Singh Son of Late Ram Bilash Singh Resident of
Village - Bijalia, P.S.- Samho, District - Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi
For the Opposite Party/s : Dr. Ajeet Kumar

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

ORAL ORDER

3 05-10-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner is in jail custody since 28.11.2019 in
connection with Nayagaon P.S. Case No. 36 of 1998 registered
for the offences punishable under Section 302 and other minor
sections of the Indian Penal Code and 27 of the Arms Act.

Office has pointed out several defects to which learned
counsel of the petitioner gives undertaking to remove the
aforesaid defects when the court starts normal function.

Learned counsel of the petitioner submits that
petitioner is said to be member of unlawful assembly and no
specific overt-act has been attributed against him. He also points



out that other co-accused have already been acquitted by the learned 1st Additional Sessions Judge, Begusarai in Sessions Trial No. 267 of 2001 vide judgment dated 30.11.2004.

Perusal of record goes to show that alleged occurrence took place in the year 1998 and petitioner approached this court in the year 2011 for grant of anticipatory bail which was dismissed as withdrawn vide order dated 18.08.2011 passed in Cr. Misc. No. 24988 of 2011 giving liberty to petitioner to surrender before the court below within a fortnight for a prayer of regular bail but petitioner could be remanded in this case on 28.11.2019 i.e. after eight years of passing order dated 18.08.2011 in Cr. Misc. No. 24988 of 2011.

Therefore, considering the above stated conduct of the petitioner, I do not think it proper to release him on bail and accordingly, his prayer for bail stands rejected.

However, learned Sub-divisional Judicial Magistrate, Begusarai is directed to commit the case of the petitioner to the court of sessions within six weeks from the date of receipt/production of copy of this order, if the case of the petitioner has not been committed to the court of sessions as yet. However, after commitment, the concerned sessions court shall expedite the trial of the petitioner and shall take all efforts to



dispose of the case within one year from the date of framing of the charge, failing which the petitioner shall be at liberty to renew his prayer for bail.

(Hemant Kumar Srivastava, J)

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