

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.30722 of 2020**

Arising Out of PS. Case No.-453 Year-2019 Thana- SONEPUR District- Saran

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Raju Kumar, S/o Mahesh Singh, R/o Village-Rajapakar Banghara, Chauba Chowk, P.S-Rajapakar, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anant Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-12-2020 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Anant Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sonpur P.S. Case No. 453 of 2019 registered for the offence under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Earlier the prayer for regular bail of the petitioner was rejected vide order dated 18.01.2020 passed in Cr. Misc. No. 86366 of 2019 considering the huge criminal antecedent of the petitioner.



Earlier vide order dated 13.11.2020 a report had been called for from the learned trial court which has been received vide letter no. 168 dated 27.11.2020 from which it appears that the learned trial court is looking for only four months time to conclude the trial.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the name of the petitioner has been brought in this case on the basis of the confessional statement of the petitioner itself.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein the learned trial court is looking for only four months time to conclude the trial and now that the trial court has started functioning physically as well as virtually, this Court is not inclined to grant regular bail to the petitioner particularly considering his huge criminal antecedent and the possibility that in case he is released at this stage the trial may be influenced.

Let the trial be expedited.

The learned trial court shall fix the date by giving priority to this case and shall conduct the trial on day to day



basis whenever physical court is sitting and then every endeavour should be made to conclude the trial within four months. The prosecution must cooperate.

In case the trial is not concluded within four months for no reason attributable to the petitioner, the petitioner may renew his prayer for regular bail before this Court.

(Rajeev Ranjan Prasad, J)

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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'.

