

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.16346 of 2021**

Arising Out of PS. Case No.-169 Year-2019 Thana- MATIHANI District- Begusarai

BUDHAN SINGH @ BUDDHAN SINGH S/O RAMSHARAN SINGH R/O  
VILLAGE-RAMDIRI MAHAJI, P.S-MATIHANI, DISTRICT- BEGUSARAI  
... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Shashank Shekhar, Advocate, Advocate.  
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

2      01-07-2021                      Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Maithani P.S. Case No. 169 of 2019 registered for the offences punishable under Sections 353, 307, 414 of the Indian Penal Code and 25(1-b)A, 26, 27, 35 of Arms Act.

Learned counsel for the petitioner submits that as per the prosecution story, on secret information the informant along with police party reached at Ramdiri where this petitioner (Budhan Singh) was going to commit a serious crime. After lapse of some time they noticed that two persons on separate motorcycle came there with rifles on their shoulder. It is further alleged that when they were



asked to surrender but the petitioner and other co-accused person resisted by using their firearms. It is further stated that they were apprehended and on search one semi-automatic rifle with 20 live cartridges and one country-made pistol was recovered.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 20.11.2019.

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

Having regard to the facts and circumstances of the case wherein this Court has noticed from the FIR that the petitioner has got huge criminal antecedent and when he was caught by the police party, he indulged in firing upon the police party and later on when he surrendered himself to the police from his possession one semi-automatic rifle with one live cartridge and one country made pistol and 19 live cartridges were seized, this Court is not inclined to enlarge the petitioner on bail. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

The trial Court is expected to conclude the trial on an early date, particularly considering that the petitioner is in custody since 20.11.2019.

If the trial is not concluded within a period of one year after start of normal functioning of the Court for no reason



attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of.

**(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'.

