

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31421 of 2020**

Arising Out of PS. Case No.-187 Year-2019 Thana- KASIMBAZAR District- Munger

MD. SHAMIM UDDIN @ SAMIM S/o Late Md. Ejajuddin Resident of
Village-Belan Bazer, P.S.-Kasim Bazar, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abdul Mannan, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

3 25-01-2021 Heard Mr. Abdul Mannan, learned Advocate for
the petitioner and Mr. Ram Priya Sharan Singh, learned
APP for the State.

The petitioner seeks bail in connection with
Sessions Trial No. 307 of 2019, arising out of Kasim
Bazar P.S. Case No. 187 of 2019 dated 02.08.2019
instituted for the offence under Sections 25(1-A), 25 (1-
AA), 25(1-b)a, 26/35 of the Arms Act.

The petitioner is in custody since 03.08.2019.

The prayer for bail of the petitioner was earlier
rejected on the ground that huge recovery of semi
manufactured weapon/arms were recovered from his
house. Though the petitioner denies the same but the
seizure list supports the factum of recovery.

Learned counsel for the petitioner submits that



the seizure list witnesses are police personnel and therefore their statement should not be taken as the gospel truth.

In any view of the matter, considering the nature of accusation, I am not inclined to grant bail to the petitioner for the present.

The prayer for bail is rejected.

However, since the petitioner is in custody for a long time and charges in this case have already been framed, this Court directs the trial of the petitioner to be concluded as expeditiously as possible. In case there is no substantial progress in the trial within a period of six months and which delay is not attributable to the petitioner, the petitioner would be entitled to approach the trial court for grant of bail and in that event the court below shall be under an obligation to record the reason for non-conclusion of the trial within the time frame so stipulated by this Court.

(Ashutosh Kumar, J)

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