

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31918 of 2020

Arising Out of PS. Case No.-96 Year-2018 Thana- SAHAJITPUR District- Saran

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AMISH KUMAR S/O Upendra Rai Resident of Village - Raepur Buzurg, P.S.
- Sarairanjan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case for the offence registered under Section 396 of the Indian Penal Code and 25(1-B)A, 27, 35 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected vide Annexure-1 to the present application taking into account that the petitioner was apprehended in course of committing dacoity and he opened fire as a result of which, a person died.

A report was called for from the trial court. It has been reported that a petition under Section 227 of the Cr.P.C. has been filed on behalf of the defence and the trial is expected to be concluded within a period of nine months.

On behalf of the State, it is submitted that the petitioner is



named in the Complaint Case/F.I.R.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 439 of 2019 arising out of Sahajitpur P.S. Case No. 96 of 2018 is rejected.

Learned trial court is directed to take all necessary steps to conclude the trial of the petitioner preferably within a period of nine months from the date of receipt/production of copy of this order.

It is expected that the defence will cooperate in the trial.

The District Magistrate and the Superintendent of Police, Saran at Chapra are directed to ensure the production of witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period of nine months.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Saran at Chapra for needful.

(Sudhir Singh, J)

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