

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34301 of 2020

Arising Out of PS. Case No.-323 Year-2020 Thana- JAKKANPUR District- Patna

PANKAJ SHARMA S/O Late Tripit Narayan Sharma Resident of Village - Mathurapur, P.S.- Biddupur, District - Vaishali. At present Mohalla - Keshari Nagar, 24C, Nala Par, P.S. Patliputra, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Advocate Mr.Sunil Kumar Pathak, Advocate
For the Opposite Party/s :		Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-02-2021 Heard both sides.

The petitioner seeks bail in Jakkanpur P.S. Case No.323 of 2020 registered under Section 401 of the Indian Penal Code and under Sections 25(1-B)a, 26 and 35 of the Arms Act.

The informant after having got information that some criminals had assembled to commit some cognizable offence near Bengali Tola More in Ramnagar Road raided the place and apprehended the petitioner (Pankaj Sharma) and Sujit Kumar. From the possession of the petitioner, one loaded country made pistol and one live cartridge were recovered.

Mr. N.K.Agrawal, learned senior counsel for the petitioner submits that petitioner is in jail since 10.07.2020. Petitioner has already remained in jail for about seven months but trial has not yet been concluded. The petitioner is ready to



furnish bail bonds with any condition. Of course, the petitioner has got criminal antecedent but the cases are of the year 2015 and 2012. One case is of the year 2019 and this is the first case of the year 2020 but it appears that petitioner has got as many as eight criminal cases pending against him.

Taking into consideration the facts aforesaid and the fact that petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within three months from the date of receipt of this order.

The S.S.P., Patna is directed to ensure the attendance of the witnesses during the course of trial so that the trial must be concluded within three months.

Let a copy of this order be sent to A.C.J.M.-cum-Sub Judge I, Patna and the S.S.P., Patna for information and needful.

If the trial is not concluded within three months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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