

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53746 of 2021

Arising Out of PS. Case No.-269 Year-2020 Thana- KANTI District- Muzaffarpur

PRINCE KUMAR, Son of Jaimangal Ram, Resident of Village - Madhuban,
P.S. Kanti, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Vindhya Keshri Kumar, Sr. Advocate
		Mr. Neeraj Kumar Alias Sanidh, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-12-2021 Heard learned counsel for the petitioner and Md.
Fahimuddin, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain
bail in connection with Kanti P.S. Case No. 269 of 2020
registered for the offence under Sections 25(1-b)a, 26, 35 of the
Arms Act.

Learned senior counsel for the petitioner submits that
in this case the petitioner has remained in custody since
16.05.2020 and the recovery of weapon and ammunitions is
from the room belonging to the co-accused Ravi Kumar @ Ravi
Ranjan.

Learned A.P.P. for the State submits that this court has
taken note of the fact that from the room in which this petitioner
was present with the co-accused, police has recovered country



made carbine, magazine of carbine, seven live cartridges of 9 m.m., one live cartridge of 7.62 and three cartridges of point 315 bore which have been kept beneath the bed of both the accused persons on which they were sleeping together.

Learned A.P.P. further submits that the trial has already begun in this case and the informant has been examined. Further warrant of arrest has been issued for production of witnesses through S.S.P., Muzaffarpur with list of witnesses for their production and, as such, at this stage, the learned court has not been able to dispose of the entire case within six months time as per order of this court. The pandemic situation in which the courts were unable to function with all strength is one of the main reasons for non-conclusion of trial during this period.

Having regard to the materials before this court and the fact that the trial has already begun, this court is not inclined to release the petitioner on bail at this stage.

Let the S.S.P., Muzaffarpur execute the warrants issued against the witnesses and ensure that all the prosecution witnesses are produced on the date fixed in the matter and the trial be concluded preferably within a period of six months from the date of communication of this order, failing which it will be taken as a failure on his part and petitioner shall be entitled to



renew his prayer for bail if the trial is not concluded for no reason attributable to him.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

