

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1262 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- MATIHANI District- Begusarai

Prince Kumar, Son of Rajaram Singh, Resident of Badalpura, Mirzapur,
Banduar, P.S. Matihani, Dist. Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.S.K.Lal, Advocate
		Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s :		Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-03-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Madan Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Matihani P.S. Case No. 47 of 2020 registered for the offences under Sections 353, 307 and 34 of the Indian Penal Code and Sections 25(1-b) A, 26, 27 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is alleged to have been arrested with loaded pistol on being chased by the Police force. It is alleged that at the time of



chasing the accused persons including this petitioner resorted to firing on the Police party.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that though there is allegation of firing by the accused persons but none of the Police party is said to have received any injury. It is submitted that the petitioner is in custody since 04.05.2020 but there is no progress in the trial. It is further submitted that the petitioner is an accused in 17 cases, out of which in three cases he has been acquitted.

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

Having regard to the facts and circumstances of the case, the materials available on the record showing that the petitioner was arrested on the spot while he was indulged in firing upon the Police party and from his possession one regular automatic loaded pistol with magazine have been recovered and further material that the petitioner has got huge criminal antecedents of 17 cases on his head out of which it is stated that in three cases he has been acquitted, this Court is not inclined to grant privilege of bail to the petitioner. Prayer is, thus, refused.

Let the trial be expedited.



The trial court is expected to proceed with the trial as expeditiously as possible, no longer date shall be granted in this matter and prosecution must cooperate in early conclusion of trial.

If the trial is not concluded within a period of nine months for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

