

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10133 of 2021**

Arising Out of PS. Case No.-302 Year-2018 Thana- BIHPUR District- Bhagalpur

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PRAVIN SAH @PRAVIN KUMAR SAH SON OF LATE SUDHIR SAH
BALHA, P.S. - BIHAPUR (BHAWANIPUR), DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 22-11-2021

Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 420, 489B, 489C, 489D and 34 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, the petitioner along with Mangal Sah and Anmol Sah are stated to be engaged in printing duplicate currency notes and supplying the same in the local market.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide orders dated 5.8.2019 (Annexure-1) passed in Cr.Misc. No. 30972 of 2019 with a direction to the learned trial court to expedite the trial and conclude the same at the earliest



preferably within a period of nine months. In spite of the petitioner being in custody for more than three years ie since 8.9.2018 and more than two years having been passed since passing of the said order dated 5.8.2019, the trial is still continuing and there is no chance of the same concluding in the near future. It is further submitted that the cause of false implication of the petitioner is his being the brother of the main accused Mangal Sah. Further the seizure list witnesses have not supported the prosecution case.

The application for bail is opposed by learned APP for the State.

A report was called for from the learned trial Court with respect to the stage of the trial. As per the report received contained in letter dated 21.8.2021 of the learned 1st Addl. District and Sessions Judge, Naugachia, all the witnesses except for the Investigating Officer of the case, namely, Anil Kumar have been examined in S.T. No. 375 of 2019.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the contents of the report received from the learned trial court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



Learned trial court is directed to expeditiously conclude the trial preferably within a period of three months from the date of receipt of a copy of this order.

Let a copy of this order be communicated to the Superintendent of Police, Naugachia who will ensure the presence and examination of the Investigating Officer, Anil Kumar, in S.T.no. 375 of 2019 pending in the court of 1st Addl. District and Sessions Judge, Naugachia, if not already examined, on the very next date in the trial.

(Partha Sarthy, J)

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