

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28648 of 2022

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

AMISH KUMAR Son of Upendra Rai Resident of Village - Raipur Bujurg,
P.s.- Sarairanjan , Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioner and the State.

Four weeks' time is granted to the counsel for the petitioner to remove the defect(s) as pointed out by the office.

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

Earlier prayer for bail of the petitioner was rejected twice vide Annexure-1 series to the present application.

The first application for bail of the petitioner was rejected vide order dated 24-07-2019 passed in Cr. Misc. No. 15877 of 2019. The second application for bail of the petitioner was rejected by order dated 03-02-2021 passed in Cr. Misc. No. 31918 of 2020 with a direction to the trial court to conclude the trial within a period of nine months. This is the third attempt for regular bail.

A report was called for from the trial court.

It has been reported that out of ten prosecution witnesses,



four prosecution witnesses including the informant have already been examined and the trial is likely to be concluded within a period of four months.

Considering the nature of accusation and 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.

The trial court is directed to take all necessary steps to expedite the trial and conclude the same as early as possible, preferably within a period of four months from the date of receipt/production of copy of this order.

The District Magistrate and the Superintendent of Police, Saran at Chapra are directed to produce the prosecution witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period of four 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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