

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14870 of 2023

Arising Out of PS. Case No.-447 Year-2021 Thana- RIVILGANJ District- Saran

Shiva Singh Son Of Anant Singh R/O Village- Barka Naika Baiju Tola, P.S.-
Manjhi, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Rivilganj P.S. Case No. 447 of 2021 instituted for the offence under Sections 413, 414/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per allegation in the FIR, after getting secret information police arrested the petitioner along with co-accused from whose possession one country made pistol, live cartridges as well as a motorcycle without valid document were recovered from their possession.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely



been implicated in this case by the police. The petitioner has no concern with the alleged arms or motorcycle which were seized by the police. It is further submitted that the petitioner is languishing in judicial custody since 13.12.2021.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got huge numbers of criminal antecedents i.e. 39. The petitioner was also arrested on spot from whose possession, illegal arms were recovered.

In pursuance to the direction of this Court, a report with regard to the present stage of trial has been received which has been kept at Flag 'A'.

From perusal of the report of learned Additional District & Sessions Judge-VII, Saran at Chhapra dated 11.5.2023 suggests that trial is likely be concluded within period of six months.

Having heard the learned counsel for the parties and considering the huge numbers of criminal antecedents of the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The learned trial court is directed to conclude the trial within stipulated period of time (six months) failing



which, the petitioner will be at liberty to renew his prayer for
bail.

(Sunil Kumar Panwar, J)

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