

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40070 of 2023

Arising Out of PS. Case No.-424 Year-2021 Thana- JAMUI District- Jamui

1. Rajesh Mistry Son of Late Beno Mistry Resident of village - Khairi, P.S. - Tetarhat, Distt. - Lakhisarai
2. Devashish Kumar Son of Late Balmukund Sharma Resident of village - Faujdari Bazar, P.S. - Qasim Bazar, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 25-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Jamui P.S. Case No. 424 of 2021, dated 29.09.2021, registered for the offences punishable under Sections 25 (1)a, 25(1-AA), 25 (1-AC), 25(1-B)a, 25(1-B)c, 26 (i), (ii) and 35 of the Arms Act.

3. The prosecution case as emerges from the F.I.R. is that when the informant/police entered into Maa Ambe Re-boring and Engineering Workshop at Jamui, they found the accused Brahamanand Sharma in possession of illegal countrymade pistol and accused, Devashish Kumar Sharma and Rajesh Mistri manufacturing pistols.



4. Ld. counsel for the petitioners submits that the petitioners had moved this Court earlier for regular bail vide Cr. Misc. No. 15092 of 2022 and Cr. Misc. No. 15579 of 2022, respectively, which were rejected with an observation that if the trial is not concluded within six months, the petitioners are at liberty to renew their prayer for bail. He further submits that since the trial has not been concluded in the stipulated time, the petitioners, vide present application, have renewed their prayer for bail.

5. He further submits that he has filed a copy of the order-sheet of the Trial Court as per which the trial is at the stage of defence argument. He further submits that the Court is presently vacant and no argument is being heard.

6. In view of the aforesaid facts and circumstances, Ld. Sessions Judge, Jamui is directed to get the matter back to his own Court and hear the argument on day to day basis and dispose it of within two months. **The present petition is accordingly rejected.**

7. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office



objections.

(Jitendra Kumar, J)

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