

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28677 of 2022

Arising Out of PS. Case No.-206 Year-2015 Thana- BARHIYA District- Lakhisarai

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SETHI SINGH @ SOUTHI SINGH @ RUPAK SINGH Son of - Vijay
Shankar @ vijay shankar singh Resident of Village - Jaitpur, P.S. - Barahiya,
District - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Parmanand Pd. Nr. Sahi, Advocate
For the Opposite Party : Mr. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-02-2023 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 Sessions Trial No. 81 of
2018 arising out of Barahiya P.S. Case No. 206 of 2015
registered for the offence under Section-302/34 of the Indian
Penal Code and 27 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected
five times.

This is the sixth attempt of the petitioner for grant of
his bail.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 22-01-2016. Hence, he has



remained in custody for approximately seven years.

A report was called for from the trial court and the same has been received which is at Flag-"A".

It has been reported that out of 18 prosecution witnesses, nine prosecution witnesses have already been examined. It has further been indicated that the trial is likely to be concluded within a period of nine months.

The petitioner is said to be one of the assailants. As per statement of a witness recorded at paragraph-39 of the case diary, he is said to have fired upon the deceased. The deceased is said to have sustained as many as seven fire-arm injuries on his body.

Considering the fact that the petitioner is one of the assailants, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner 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 six months from the date of receipt/production of copy of this order.

The District Magistrate and the Superintendent of Police, Lakhisarai 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 six months.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Lakhisarai for needful.

(Sudhir Singh, J)

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