

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60402 of 2023

Arising Out of PS. Case No.-80 Year-2017 Thana- PANDARAK District- Patna

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MANOJ RAI S/O RAMKARAN RAI R/O VILLAGE- CHAMTHA GOP
TOLA, P.S- BACHHWARA, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Pandarak P.S. Case No. 80 of 2017 for the offence punishable under Section 147, 148, 353 and 307 of the IPC lodged on 16.09.2017 by the informant Ajeet Kumar Singh.

3. As per the prosecution story, the police upon information that the veteran criminal Ram Janam Yadav and his associates have assembled to commit serious crime, proceeded to Pandarak Diyara where exchange of fire took place between the police and the criminal and in the process, one constable was also injured. During the conversation between the accused, the name of the petitioner amongst other cropped up. Accordingly the FIR.



4. It is a case of the petitioner that he is in custody since 20.12.2022 (as stated in para 8 of the bail petition) and has eight criminal cases, was unaware of the present case which delayed him coming to judicial custody.

5. Learned APP opposes the prayer stating that for five years, he evaded arrest delaying the trial.

6. Taking into account the submission put forward by the learned counsel for the parties, allegation is of opening fire when the police asked them to surrender, the matter is of 2017 and only in December, 2022, he chose to come into judicial custody, has criminal antecedent of the same nature, it would be appropriate that he faces trial.

7. The bail application stands rejected.

8. The trial court is directed to expedite the trial and conclude the same preferably within a period of nine months.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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