

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63567 of 2022

Arising Out of PS. Case No.-195 Year-2017 Thana- MATIHANI District- Begusarai

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Golu Singh @ Golu Kumar Singh @ Golu Kumar Son Of Ram Sharan Singh
@ Pahalwan R/O Vill.- Ramdiri (Mahaji), P.S.- Ward No. 08, Distt.-
Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Shashank Shekhar, Advocate
For the Opposite Party : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

By filing the present application, this petitioner has renewed his prayer for bail in connection with Matihani P.S. Case No. 195 of 2017 corresponding to Session Trial No. 207 of 2021 arising out of session trial no. 285 of 2018 registered for the offence under Sections 147, 148, 149, 302 and 120(B) of the Indian Penal Code and 27 of the Arms Act. Petitioner has got seventeen (17) criminal antecedents as stated in paragraph '3' of the application.

Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 14.07.2021 passed in Cr. Misc. No. 27237 of 2021 for the reasons recorded therein.

Learned counsel for the petitioner submits that though



the trial of the case has begun but out of seven witnesses only three witnesses have been examined so far. It is submitted that no material has come against the petitioner in course of trial so far.

Learned counsel for the State has opposed the prayer for bail of the petitioner. It is submitted that there is serious allegation against the petitioner that he had fired upon the deceased and further that the petitioner has got seventeen (17) criminal antecedents, therefore if released on bail at this stage, the prosecution witnesses are likely to be frightened considering the criminal antecedents of the petitioner.

Having regard to the submissions noted hereinabove, the gravity of the offence alleged against the petitioner and the criminal antecedents, this Court is not inclined to release the petitioner on bail.

Prayer for bail of the petitioner is, thus, refused.

Earlier this Court had given an observation directing the learned trial court to conclude the trial within a period of one year after framing of charge. It appears that the trial has been delayed. This Court is not aware of the reasons but at this stage, the Court would observe that the learned trial court must keep the records of the case on shorter dates and comply with the



directions of this Court as contained in the order dated 14.07.2021. If there is failure of the prosecution in producing the witnesses and for that reason alone the trial is not being concluded, the petitioner will be at liberty to renew his prayer for bail in the court below.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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