

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53506 of 2023

Arising Out of PS. Case No.-11 Year-2016 Thana- C.B.I CASE District- Muzaffarpur

SONU KUMAR @ SONU KUMAR GUPTA S/o Nandalprasad Resident of
Village, Mohalla-Shukla toil Near Hanuman Mandir, Siwan, P.S.-Siwan
(Town), Dist.-Siwan

... .. Petitioner/s

Versus

Central Bureau of Investigation through Suptd. of Police CBI, SC-11-New
Delhi New Delhi

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31884 of 2024

Arising Out of PS. Case No.-11 Year-2016 Thana- C.B.I CASE District- Muzaffarpur

AZAHARUDDIN BEIG @ AZRUDDIN BEG @ LADDAN MIYA SON OF
LATE MD. KUNDAN MIYA @ LATE MD. KUDRUSU MIYA @ LATE
NASARUDDIN BEG @ LATE MD. KUDRUSH MIYA RESIDENT OF
RAM NAGAR, P.S. - SIWAN TOWN, DISTRICT - SIWAN

... .. Petitioner/s

Versus

THE CENTRAL BUREAU OF INVESTIGATION THROUGH
SUPERINTENDENT OF POLICE C.B.I. SC II, NEW DELHI New delhi

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53506 of 2023)

For the Petitioner/s : Mr. Gopesh Raj, Adv.

For the Opposite Party/s : Ms. Nivedita Nirvikar, Adv.

(In CRIMINAL MISCELLANEOUS No. 31884 of 2024)

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Ms. Nivedita Nirvikar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

11 30-08-2024 Heard learned counsels for the petitioner in both the

Cr. Misc. applications and learned counsel for the State and

learned counsel for the C.B.I.

2. Learned counsel for the petitioner in Cr. Misc.



No.53506 of 2023, submits that the bail application of the petitioner has been earlier rejected twice and he is in custody since 26.06.2016 and he has one criminal antecedent related to Arms Act, in which he is on bail. Learned counsel further submits that from the entire investigation, it has come that there is no direct involvement of the petitioner in this case. Learned counsel for the petitioner next submits that he is in custody since eight and a half years. Only due to this reason that his brother is also accused in this case.

3. Learned counsel for the C.B.I. opposes the prayer for bail and submits that the arms used in the crime has been recovered from the house of the petitioner and upon verification, it has been found that crime has been caused by the said arms which has been recovered from the possession of the petitioner also. Learned counsel further submits that without involvement of the present petitioner in this case, how arm could be recovered and other things are subject to trial.

4. So far as second case, i.e., Cr. Misc. No.31884 of 2024 is concerned, learned counsel for the petitioner submits that bail application of the petitioner has been earlier rejected five times. He further submits that trial had not concluded as yet. On the previous occasion, report has been called for and



from perusal of the report, it transpired that prosecution witness has already been closed and presently record is running for evidence of defence witnesses.

5. As such it transpired to this Court that delay is not on the part of the prosecution. It is the defence to adduce evidence as early as possible.

6. Accordingly, this Court is not inclined to grant bail to the petitioners in both Cr. Misc. applications, thus the prayer for bail is hereby rejected.

7. The trial Court is directed to conclude the trial within six months.

(Dr. Anshuman, J)

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