

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70672 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- NARPATGANJ District- Araria

Munna Miyan @ Samshad @ Samshad Alam Son of Late Muslim Miyan @ Muslim village- Madhura West, Ward No.13 P.S -Narpatganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mrigendra Kumar, Adv.
For the Opposite Party/s	:	Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Narpatganj P.S. Case No. 265 of 2023 registered for the offences punishable under Sections 341, 323, 332, 333, 353, 307/34 of the Indian Penal Code and sections 25(10B)a, 26, 27 of the Arms Act.

3. As per prosecution case, informant and other police officials conducted raid at the house of the petitioner as petitioner was wanted in Narpatganj P.S. Case No. 590 of 2022. It is alleged that petitioner fired from his pistol upon the police team but anyhow the informant saved himself from the said firing. Petitioner was apprehended on the spot and from his possession one country made pistol loaded with one .315 bore life



cartridge was recovered.

4. Learned counsel for the petitioner submits that on 08.02.2024 the bail of the present petitioner has already been rejected by this Court vide Cr. Misc. No. 61922 of 2023 with direction to the trial court to conclude the trial within six months from the date of receipt/production of copy of the order. He further submits that he has filed the present bail petition after nine months from the date of rejected of his previous bail prayer. He further submits that petitioner has criminal antecedent of 15 cases out of which he is on bail on 14 cases. Learned counsel submits that despite direction of the Court, trial of the present case has not been concluded as yet. He further submits that delay in trial is not in any way attributable to the petitioner as he is in custody since 21.05.2023.

5. Learned Addl. P.P. appearing for the State opposes the prayer for bail of the petitioner and submits that earlier prayer for bail of the petitioner was rejected on merit. He further submits that petitioner bears criminal antecedent of 15 cases out of which three cases are of similar nature.

6. By order dated 04.10.2024 a report was called for from the trial court regarding the stage of trial. The report is received and is kept at Flag-A. Perusal of the report indicates



that out of seven prosecution witnesses, three witnesses have already been examined.

6. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioner has been rejected on merit, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, in case the trial of the case is not concluded within six months from today, the petitioner will be at liberty to renew his prayer for bail.

(Alok Kumar Pandey, J)

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