

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39143 of 2014

Arising Out of PS.Case No. -83 Year- 2010 Thana -DHORAIYA District- BANKA
=====

1. Sunil Das Son of Shiv Narayan Das resident of village - Basta, Police
Station - Dhoraiya, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Rajendra Singh Shastri Ji(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 24-12-2014 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The learned trial court has reported that the prosecution has already closed its evidence in Sessions Trial No. 321 of 2011 arising out of Dhoraiya P.S. Case No. 83 of 2010 and the case is pending for recording the statements of accused persons under Section 313 of the Cr.P.C.

Admittedly, petitioner is in jail custody since 05.10.2010 and up till now his trial has not been concluded.

However, the prayer for bail of the petitioner is again rejected on the grounds mentioned by me in my previous order dated 25.01.2012 passed in Cr. Misc. No. 34569 of 2011 with direction to 1st Additional Sessions Judge, Banka to dispose of

Sessions Trial No. 321 of 2011 arising out of Dhoraiya P.S. Case No. 83 of 2010 within a month from the date of receipt/production of copy of this order. Any failure on the part of learned 1st Additional Sessions Judge, Banka shall be viewed seriously. It is also made clear that if the learned trial court fails to dispose of trial of the petitioner within the above stated period, the petitioner may renew his prayer for bail and in that event, the learned 1st Additional Sessions Judge, Banka shall submit his explanation before this court.

(Hemant Kumar Srivastava, J)

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