

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48094 of 2014

Arising Out of PS.Case No. -192 Year- 2011 Thana -BARARI District- KATIHAR

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1. Manoj Parihar S/o Ruplal Parihar R/ Village - Sahariya, Tinghariya, P.S.
- Barari (Semapur), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 24-12-2014 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Earlier the prayer for bail of this petitioner was rejected by this court vide order dated 02.07.2012 passed in Cr. Misc. No. 14659 of 2012 but again the prayer for bail of the petitioner is made on the ground that this court rejected the prayer for bail of the petitioner on the grounds that father and mother of the petitioner supported the prosecution case.

It is submitted on behalf of the petitioner that in course of trial father and mother of the petitioner were examined as prosecution witnesses no. 1 and 2, respectively but they did not

support the prosecution case and also denied to have made any statement before the police under Section 161 of the Cr.P.C.

The trial court has reported that all the prosecution witnesses, except the investigating officer, have already been examined and the case is pending for recording the evidence of investigating officer.

No doubt, petitioner is in jail custody since 30.11.2011 but it appears that the trial of the petitioner is on the verge of conclusion. Accordingly, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 211 of 2012 arising out of Barari (Semapur) P.S. Case No. 192 of 2011 pending in the court of 5th Additional Sessions Judge, Katihar is again rejected.

However, learned 5th Additional Sessions Judge, Katihar is directed to conclude the trial of the petitioner within three months from the date of receipt/production of copy of this order, failing which the petitioner shall be at liberty to renew his prayer for bail before the learned trial court itself.

Let copy of this order be sent to Superintendent of Police, Katihar with direction to him to ensure the presence of investigating officer of Sessions Trial No. 211 of 2012 arising out of Barari (Semapur) P.S. Case No. 192 of 2011 before the court of

5th Additional Sessions Judge, Katihar within a month from the date of receipt/production of copy of this order. Any failure on the part of Superintendent of Police, Katihar shall be viewed seriously.

(Hemant Kumar Srivastava, J)

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