

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 12716 of 2015

Arising Out of PS.Case No. -214 Year- 2013 Thana -HUSSAINGANJ District- SIWAN

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Hasne Imam Khan @ Hasan Imam Khan, Son of Abdul Sakur Khan,
Resident of Village- Semri, P.S. M.H. Nagar, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 05-08-2015

Heard learned counsel for the parties.

The petitioner seeks bail in Hussainganj P.S.

Case No. 214 of 2013 dated 30.09.2013 instituted under
Sections 302/307/34 of the Indian Penal Code and 27 of the
Arms Act.

This is the second attempt of the petitioner
seeking bail as earlier such prayer was rejected on 31.07.2014
in Cr. Misc. No. 20608 of 2014 with a direction to the Court
below to expedite the trial and conclude the same within six
months.

That not having been done, the petitioner has
moved this Court in the present application. Report was called
from the trial Court and the same has been submitted
indicating that the prosecution evidence has not yet been
concluded. However, in the counter affidavit filed on behalf of
the informant today, it appears that the prosecution evidence

has been closed and the statement of the accused under Section 313 of the Code of Criminal Procedure, 1973 has also been recorded.

The trial Court has also indicated that if the parties co-operate, the trial shall be concluded expeditiously.

In view of the stage of the trial, this court is not inclined to enlarge the petitioner on bail. However, the Court below shall conclude the trial expeditiously and in any case latest within three months from today positively, failing which this Court may take strict view in the matter. Needless to say that the trial Court has ample powers to ensure that the parties do not unnecessarily delay the trial.

Registry shall communicate the order to the Court below through Fax also latest by tomorrow.

(Ahsanuddin Amanullah, J.)

P. Kumar

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