

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23624 of 2015

Arising Out of PS.Case No. -45 Year- 2010 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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1. Lal Mohammad @ Lal Mohammad Gaddi, Son of Suleman Gaddi,
Resident of Line Parsa, Police Station- Balthar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 19-08-2015 Heard learned counsel for petitioner and
learned Additional Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by this court with direction to trial court to expedite the trial of the petitioner but from perusal of impugned order dated 21-04-2015, it would appear that charge against the petitioner was framed on 24-01-2012 but only two prosecution witnesses could be examined and still almost 8 prosecution witnesses are yet to be examined. It would further appear from perusal of the impugned order that the learned trial court not only sent the letters to District Magistrate, Bettiah, West Champaran but also wrote letters to DIG, Champaran Range for procurement of attendance of prosecution witnesses but all went in vain. However, taking note of the recovery of contraband from possession of the

petitioner, I do not feel it proper to release him on bail and accordingly, his prayer for bail in connection with Trial No. 07 of 2011 arising out of Narkatiyaganj Rail P.S. Case No. 45 of 2010 pending in the court of Learned Additional Sessions Judge-Vth, West Champaran, at Bettiah stands rejected.

Learned trial court is directed to conclude the trial of the petitioner within six months from the date of receipt/production of copy of the order even taking his case on day-to-day basis.

Let a copy of this order be sent to the Superintendent of Police, Bettiah, West Champaran with direction to him to ensure the presence of remaining prosecution witnesses of the above-said case before the Learned Additional Sessions Judge-Vth, West Champaran, at Bettiah/concerned court within three months from the date of receipt/production of copy of the order failing which, the matter shall be viewed seriously.

(Hemant Kumar Srivastava, J)

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