

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30918 of 2014

Arising Out of PS.Case No. -35 Year- 2012 Thana -JADOPUR District- GOPALGANJ

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Bidya Yadav Son of Late Bhoj Yadav Resident of village- Nawada, P.S.-
Jadopur, District- Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhramveer, Advocate.

For the State : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

Earlier prayer for bail of the petitioner was rejected with a
direction to the trial court to expedite the trial for its early
disposal.

However, there is specific allegation against the petitioner
that he gave a dagger blow on the abdomen of the father of the
informant as a result of which the entire intestine came out.

A report was called for from the court of 4th Additional
District Judge, Gopalganj. Report has been received. It has been
reported that five witnesses have been examined and only Doctor
and I.O. have not been examined. Further it has been reported that
after examination of Doctor and I.O. the case will be disposed of
immediately within one month.

Hence, the Superintendent of Police, Gopalganj, is directed
to ensure the attendance of Doctor and I.O. in Sessions Trial
No.294 of 2012 arising out of Jadopur P.S. Case No. 35 of 2012.

Further it is hereby directed to the 4th Additional District

Judge, Gopalganj shall issue summon/warrant against the Doctor and I.O. as per his discretion fixing the date for their evidence through the Superintendent of Police, Gopalganj and the Superintendent of Police, Gopalganj, shall ensure the attendance of the Doctor and I.O. on the date fixed. Further non-compliance of the order, the authority concern shall be held responsible. It may be noted that non-compliance of processes issued, is the interference in the administration of the justice and may be taken serious view.

With this observation, the bail petition is disposed of with a direction to the trial court to ensure the attendance of witnesses through the S.P., Gopalganj by issuing process against the witnesses fixing date for evidence of the witnesses on date fixed. In case witnesses not produced within stipulated period on the date fixed, the Superintendent of Police, Gopalganj, shall be held responsible and trial court shall consider for grant of bail of the petitioner.

Let a copy of this order be sent to the Superintendent of Police, Gopalganj, through the court concern.

m.p.

(Gopal Prasad, J)

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