

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33644 of 2015

Arising Out of PS.Case No. -91 Year- 1994 Thana -HASANPUR District- SAMASTIPUR

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Ram Khelawan Yadav, son of Ramautar Yadav, resident of Village-
Kalwari, P.S.- Bithan, District- Samastipur

... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav

For the Opposite Party/s : Mr. Umesh Lal Verma(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 02-09-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 30.10.2013 in
connection with S.T. No. 444 of 2014 arising out of Hasanpur
(Bithan) P.S. Case No. 91 of 1994 for the offence registered
under Sections 147, 148, 149, 341, 322, 324, 302 and 201 of the
Indian Penal Code and Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected and direction was issued to the Trial Court to take all
necessary steps to ensure the conclusion of the trial within the
stipulated period. In case the trial is not concluded, the petitioner
will be at liberty to renew his prayer for bail.

The aforementioned order was passed on the
submission made by learned counsel for the petitioner that in the
trial in which the petitioner was facing charge, several witnesses

had already been examined and therefore, this Court being guided by the said submission and directed the trial court to conclude the trial within a period of six months.

On 05.08.2015 when the matter was taken up, this court directed to call for a report from the court of Additional District and Sessions Judge, Rosera with regard to the present stage of trial of Sessions Trial No. 444 of 2014 arising out of Hasanpur (Bithan) P.S. Case No. 91 of 1994.

A report has been received today which states that till date only petitioner has been produced before the court and thereafter, the Court below has framed charge on 03.09.2015.

In view of the misleading submission, made earlier by the petitioner that several witnesses had already been examined and also because the prayer for bail of the petitioner was earlier rejected on the ground that the petitioner was alleged to be the main assailant, I am again not inclined to grant bail to the petitioner. It is accordingly, rejected.

However, the trial Court is directed to expedite the trial on day to day basis without allowing any unnecessary adjournments.

(Anjana Mishra, J)

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