

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44152 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -PATORI District- SAMASTIPUR

Pranav Kumar Sharma @ Chhotu Son of Thakur Prasad Sharma Resident
of village - Chaksalam, P.S. Patory, District - Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar Saxena

For the Opposite Party : Mr. J.N.Thakur(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2015 Heard the counsel for the petitioner, informant and
counsel for the State.

The petitioner is languishing in jail since 06.05.2015 in
a case instituted under Sections 302, 201 and 379/34 of the Indian
Penal Code in connection with Patory P.S.Case No.32 of 2015
pending in the Court of CJM, Samastipur.

As per prosecution case, it is a case of murder of
informant's son and also theft of Rs.3400/- along with two
mobiles of the deceased by the accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 06.05.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. The trial is already in progress.

There is no eye witness to the alleged occurrence. Petitioner has falsely been implicated in the present case.

On behalf of the State and counsel for the informant, it has been submitted that the petitioner is named in the FIR and all the material witnesses have been examined except the investigation officer and the doctor.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the above named petitioner, same is dismissed.

Anyhow, the trial court is directed to take all necessary steps to conclude the trial within a period of three months from the date of receipt/production of a copy of this order.

The District Magistrate, Samastipur is directed to ensure that the investigating officer and the doctor (official witnesses) are produced before the trial court on day to day basis so that the trial could be concluded within the stipulated period.

Let a copy of this order be sent to District Magistrate, Samastipur.

(Sudhir Singh, J)

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