

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44411 of 2015

Arising Out of PS.Case No. -56 Year- 2014 Thana -PAROO District- MUZAFFARPUR

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1. Dhirendra Kumar @ Dhirendra Singh @ Dharmendra Kumar @
Dharmendra Kumar Singh son of Shambhu Singh Resident of Village
Fatehabad Police Station Paru, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwari

For the Opposite Party/s : Mr. Manoj Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 02-12-2015 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Earlier the prayer for bail of the petitioner was

rejected by this court but submission on behalf of the petitioner is

that petitioner had no intention to kill the deceased as according to

prosecution case itself, he was carrying pistol in his hand but he

did not make any firing on the deceased.

On the other hand, learned counsel appearing for the

informant informs that all the prosecution witnesses have already

been examined and the statements of accused persons have also

been recorded under Section 313 of the Cr.P.C. but before entering

into the defence, one of the accused persons filed petition under Section 311 of the Cr.P.C. which was rejected by the trial court and against the order of trial court, the said accused filed quashing petition which is still pending before this court. It is submitted that the aforesaid facts clearly indicate that there was no laches on the part of prosecution rather it is the defence who is creating hurdle in early disposal of the case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 787 of 2014 arising out of Paru P.S. Case No. 56 of 2014 pending in the court of 9th Additional Sessions Judge, Muzaffarpur is again rejected.

However, learned trial court is directed to expedite the trial of the petitioner and conclude the same as early as possible, if the trial of the petitioner and other accused is not stayed by this Court in Cr. Misc. No. 49744 of 2015.

(Hemant Kumar Srivastava, J)

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