

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42988 of 2015

Arising Out of PS.Case No. -3 Year- 2003 Thana -KUCHILA District- BHABHUA (KAIMUR)

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1. Ram Lal Sharma Son of Late Ramrup Sharma, resident of village Babu Ke Bahuara, Police Station - Kuchhila, District -Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg

For the Opposite Party/s : Mr. Lalan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 16-12-2015 No one appears on behalf of the petitioner on repeated calls.

Petitioner appears to be main assailant and his trial is still pending. The learned trial court has reported that the case has been pending for recording the evidence of I.O. and doctor. It has further been reported that warrant of arrest has been issued against Dr. Sri Kanahiya Prasad Singh, who appears to be posted at District –Supaul, but the execution report of warrant of arrest has not been received and the trial court wrote a letter to I.G, Darbhanga so that he could ensure the execution of warrant of arrest issued against the concerned doctor.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to grant

privilege of bail to the petitioner, hence, his prayer for bail in connection with Sessions trail no. 454 of 2010, arising out of Kuchhila P.S.Case No. 03 of 2003, pending in the court of Additional District & Session Judge- III Kaimur at Bhabua is again rejected.

However, let a copy of this order be sent to Superintendent of police, Supaul with direction to him to ensure the execution of warrant of arrest as issued against Dr. Sri Kanhaiya Prasad Singh within a week from the receipt/ production of copy of this order and ensure the presence of the aforesaid witness before the trial court without any delay.

(Hemant Kumar Srivastava, J)

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