

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20267 of 2015

Arising Out of PS.Case No. -112 Year- 2014 Thana -KATIHAR MUFFASIL District- KATIHAR

1. Rajesh Kumar Mandal @ Rajesh Mandal S/o Baijnath Mandal Resident
of Village - Haflaganj, P.S. - Katihar (M), District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Singh

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 27-11-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased who appears to have died in mysterious circumstances. There is allegation of illegal demand and torturing. The trial of the petitioner is going on and up till now, it appears that altogether five prosecution witnesses have already been examined and case is pending for recording the evidence of remaining prosecution witnesses.

Learned counsel appearing for the petitioner points out that no doubt, earlier informant raised suspicion against the petitioner but later on, when actual facts came to his knowledge, he filed a petition before the court below mentioning this fact that

he has already compromised the case and now he does not want to proceed with the case.

Regard being had to the facts and circumstances of the case 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. 61 of 2015 arising out of Katihar Mufassil P.S. Case No. 112 of 2014 pending in the court of 3rd Additional Sessions Judge, Katihar stands rejected, at least, at this stage.

However, learned trial court is directed to conclude the trial of the petitioner within four months from the date of receipt/production of copy of this order even by taking the trial of the petitioner on day to day basis. It is made clear that if the trial of the petitioner is not concluded within the above stated period, the petitioner may renew his prayer for bail before the trial court itself.

(Hemant Kumar Srivastava, J)

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