

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49876 of 2014

Arising Out of PS.Case No. -33 Year- 2003 Thana -ATRI District- GAYA

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Doman Manjhi S/o Jamun Manjhi Resident of village - Habbibulapur
Bhuitoli, P.S. - Atri, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 18-09-2015 Heard learned counsel for the petitioner as well as the
learned counsel for the State.

The petitioner is said to be the assailant in a case which was registered under Sections 147, 148, 149 and 302 of the Indian Penal Code and 27 of the Arms Act but he is in custody since 24.7.2013.

Taking into consideration the fact that earlier his prayer for bail was rejected by a coordinate Bench of this Court vide order dated 21.4.2014 passed in Cr. Misc. no. 51057 of 2013 and the trial court had reported that the charge has been framed against the petitioner on 6.2.2014 and in spite of issuance of non-bailable warrants of arrest against the prosecution witnesses, the prosecution could not succeed to produce any witness. Moreover, the learned trial court has sought six months time to conclude the trial.

In view of the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to grant privilege of bail to the petitioner. Accordingly, prayer for bail in connection

with Atri P. S. case no. 33 of 2003 pending in the court of learned C.J.M. , Gaya, is rejected.

Let a copy of this order be sent to the Senior \Superintendent of Police, Gaya, with direction to him to ensure the presence of prosecution witnesses before the trial court as early as possible.

(Hemant Kumar Srivastava, J)

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