

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48252 of 2014

Arising Out of PS.Case No. -42 Year- 2013 Thana -MASAURHI District- PATNA

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Pappu Kumar, son of Sri Keshwar Kumar, resident of village Sakarpura,
P.S. Dhanarua, District Patna.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Pranav Kumar Jha, Advocate.
For the State : Mr. Ajay Kumar- 2 (APP)
For the Informant : Mr. Krishna Prasad Singh, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 11-02-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Sessions Trial
No.1474 of 2013, arising out of Masaurhi P.S. Case No.42 of 2013
registered under Sections 364/34 and subsequently added Sections
302 and 201 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner
submits that earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 12.03.2014 passed in
Criminal Misc. No.33200 of 2013 taking into consideration the
facts and circumstances of the case on merit. Petitioner having no
criminal antecedent is in custody since 20.02.2013. While the case

of the petitioner has been committed to the court of sessions numbered as Sessions Trial No.1474 of 2013 pending in the court of Adhoc Additional District and Sessions Judge-IV, Patna, and charge has been framed on 15.03.2014 but no prosecution witness has been examined as yet.

The report, as called for vide order dated 14.01.2015, regarding the stage of Sessions Trial No.1474 of 2013, arising out of Masaurhi P.S. Case No.42 of 2013, and the expected time for concluding the trial, has been received from the court of Adhoc Additional District and Sessions Judge-IV, Patna, vide letter no.30/2015 dated 02.02.2015 from which it appears that the charge has already been framed in the case on 15.03.2014 but no witness has been examined as yet while the steps have been taken by the court for appearance of the witnesses and the trial of the case is expected to be concluded within 5-6 months if the witnesses are produced on behalf of the prosecution for their examination.

Earlier, the prayer for bail of the petitioner was rejected on merit, as stated above. I find no reason to reconsider the prayer for bail of the petitioner. Accordingly, the prayer of the petitioner for bail stands rejected. However, the trial court is directed to conclude the trial of the petitioner within six months by

taking all effective steps for appearance of the prosecution witnesses. If the trial of the petitioner is not concluded within six months, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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