

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7942 of 2015

Arising Out of PS.Case No. -66 Year- 2007 Thana -SIKTI District- ARRARIA

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1. Vijay Rathore Son of late Mahanand Yadav@late Gaffu Rathore
Resident of village- Bhojpur, P.S. - Tarabari , Dist- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Dr. Ravindra Kr.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is named in a case registered under Section-394 of the Indian Penal Code with specific allegation that he committed loot and also assaulted the informant. The petitioner is languishing in jail custody since 11-10-2011 and the impugned order reveals that till now, only two prosecution witnesses could be examined, particularly, in the circumstances, when charge against the petitioner was framed on 16-01-2012. The petitioner carries criminal antecedent of near about 19 cases.

Therefore, considering the facts and circumstances of the case as well as allegation, levelled against the petitioner, I do not feel it proper to extend the privilege of bail to the petitioner

and, accordingly, his prayer for bail in connection with Sikti P.S. Case No. 66 of 2007 pending in the court of learned Chief Judicial Magistrate, Araria stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within 6 months from the date of receipt/production of copy of this order.

It is made clear that if, learned trial court fails to conclude the trial of the petitioner on account of the fault of the prosecution, the petitioner may renew his prayer for bail before the learned trial court itself.

Let copy of this order be sent to the Superintendent of Police, Araria with a direction to him to ensure the presence of remaining prosecution witnesses of the above-stated case before the trial court within 4 months from the date of production of copy of this order.

(Hemant Kumar Srivastava, J)

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