

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6182 of 2014

Arising Out of PS.Case No. -74 Year- 1994 Thana -VIJAYPUR District- GOPALGANJ

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1. Vijay Singh @ Vijay Kumar Singh Son Of Jang Bahadur Singh
Resident Of Village-Saropai, Tola Khapey, P.S.-Vijaipur, District-
Gopalganj (Bihar).

.... Petitioner

Versus

1. The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar

For the Opposite Party : Mr. Md. Fahimuddin (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

11 29-04-2015

The petitioner has renewed his prayer for bail

in a case registered for the offences punishable under Sections
201, 302, 379/34 of the Indian Penal Code and Section 27 of
the Arms Act.

The petitioner is languishing in custody since
03.12.2011.

Earlier the petitioner's prayer for bail was
rejected vide order dated 26.07.2013 passed in Cr. Misc. No.
24493 of 2013 when it was reported by learned Trial Court that
trial will be concluded within a period of six months. But, in
spite of the present application being pending before this Court
for more than a year the trial could not be concluded.

A supplementary counter affidavit has been
filed on behalf of the informant stipulating that informant will
not examine any witness henceforth and the last witness
Sachita Yadav @ Sanchita Yadav has been examined and the

petitioner has to cross examine the above witness. The statements to that effect have been made in para 3 and 4 of the supplementary counter affidavit which reads as follows:-

“3. The informant states and submits that now he will not produce any witness in Sessions Trial No. 370/2007, however the last witness namely Sachita Yadav @ Sanchita Yadav has already been examined but the counsel for the petitioner has taken time for cross examination of that witness.

4. That the Opposite Party had applied the copy of the deposition of the last witness vide receipt no. 6367 dated 23.04.15 but the copy has not been supplied as yet. It is further stated that the next date for cross examination of last witness is fixed on 16.05.2015 and if the petitioner will not make any prayer for adjournment, the case can be concluded (so far the prosecution party is concerned) in three dates.”

In view of the statements of the informant, let learned Court below conclude the trial by conducting the same on day to day basis without giving unnecessary adjournment to either side.

Considering the advanced stage of the trial

and the present stand of the informant, this Court is not inclined to entertain the application.

Accordingly the application is disposed off in connection with Sessions Trial No. 192 of 2007, arising out of Vijaipur P.S. Case No. 74 of 1994.

(Dinesh Kumar Singh, J)

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