

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48509 of 2014

Arising Out of PS.Case No. -86 Year- 2014 Thana -PATRAKARNAGAR District- PATNA

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1. Niraj Singh Son of Arun Kumar Resident of Village - Ranipur, P.O + P.S - Hiranpur, District - Pakur (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s Mr. Arun Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

11/ 01.12.2015 A sealed bag was received and it was opened in presence of all the parties. In the said bag letter vide memo. no. 2742 dated 12.10.2015 along with photostat copy of FSL report no. 1046/2014 dated 8.6.2015 was found.

Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

It would appear that the Director, Forensic Science Laboratory, Patna, again, sent FSL report which had been sent by him earlier to this court and so far as serological report is concerned, the same has not been received as yet.

Learned trial court has reported that except I.O and doctor, almost all prosecution witnesses have already been examined.

It is alleged that on the basis of confessional statement of the petitioner dagger, which had been used in committing the alleged crime, was recovered and apart from this, tower location of mobile of

the petitioner was found near the place of occurrence.

Regard being had to the facts and circumstances 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 Patrakar Nagar P.S. Case no. 86/2014 corresponding to Sessions Trial no. 845/2014 pending in the court of Addl. Sessions Judge IX, Patna stands rejected.

However, trial court is directed to conclude the trial of the petitioner within six months from the date of receipt/production of a copy of this order, failing which the petitioner shall be at liberty to renew his prayer for bail before trial court itself.

Let a copy of this order be sent to Senior Superintendent of Police, Patna with direction to him to ensure presence of I.O. and doctor before Addl. Sessions Judge IX, Patna in connection with Sessions Trial no. 845/2014 within two months from the date of receipt/production of a copy of this order, failing which the matter shall be viewed seriously.

Office is directed to seal the FSL report again and send it to the concerned court immediately for needful.

Shahid

(Hemant Kumar Srivastava,J)

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