

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41521 of 2015

Arising Out of PS.Case No. -146 Year- 2013 Thana -PARSAUNI District- SITAMARHI

=====

Rajesh Kumar @ Rajesh Sah @ Gorkha s/o Raj kishore Sah@Bhaju Sah
Resident of Village- Kansar, P.s - Belsand, district Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Ganesh Pd. Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-11-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Section 302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is that on the basis of
confession of the co-accused, he has been involved in the present
case.

It has been submitted on behalf of the petitioner that he is
in custody since 1.2.2014. The case is at the stage of trial. As
many as five witnesses have already been examined in the case on
behalf of the prosecution. Petitioner is not named in the F.I.R.
The name of the petitioner has come on the basis of confessional
statement of the co-accused.

On behalf of the State and the informant, it is submitted
that petitioner is one, who had committed the alleged offence and
the material witnesses in the case have already been examined
except for the informant, doctor and investigating officer. The
next date is 21.11.2015 and learned counsel for the informant

undertakes that on the said date informant of the case would be produced before the trial court for examination-in-chief.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage, same is rejected.

Any how, the trial court is directed to conduct the trial in connection with Persauni P. S. Case no. 146 of 2013 on day to day basis and conclude the same preferably within a period of five months from the date of receipt/production of a copy of this order.

The District Magistrate, Sitamarhi, is also directed to ensure that the prosecution witnesses are produced before the trial court on day to day basis in the case so that the trial can be concluded within the aforesaid stipulated period.

Let a copy of this order be communicated to the District Magistrate, Sitamarhi.

(Sudhir Singh, J)

sudip/-

U		T	
---	--	---	--