

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41279 of 2013

Arising Out of PS.Case No. -32 Year- 2001 Thana -HUSAINGANJ District- SIWAN

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Aftab Alam Son of Meer Hamja, Resident of Village - Chanp, P.S.
Pachrukhi, District - Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate.

For the Opposite Party : Mr. Md.Aslam Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

16 20-04-2015 Heard both sides.

The petitioner seeks bail in Hussainganj P.S. Case No.
32 of 2001, corresponding to Sessions Trial No. 27 of 2013,
registered for the offences punishable under Section 302 and other
Sections of the Indian Penal Code.

Shri Yogesh Chandra Verma, the learned senior
counsel appearing on behalf of the petitioner submits that vide
order dated 17.03.2015 a report was called for, from the learned
Additional Sessions Judge, Siwan who is in seisin of the case
about the stage of trial and by the same order the learned Sessions
Judge was directed to transfer the case to any other court if the
court was vacant. The learned Additional Sessions Judge has
reported that the case is running for evidence on day-to-day basis

on each and every date the witnesses are being examined. 36 witnesses have to be examined in this case.

Considering the facts and nature of allegations made against the petitioner, I do not feel inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day-to-day basis and conclude the same within three months from the date of receipt/production of a copy of this order.

The Superintendent of Police, Siwan is also directed to ensure the attendance of the witnesses on each and every date so that the trial must be concluded within three months and any laches on the part of the S.P., Siwan shall be viewed seriously.

(Prabhat Kumar Jha, J)

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