

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45724 of 2014

Arising Out of PS.Case No. -47 Year- 2011 Thana -DIGHALBANK District- KISANGANJ

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Md. Khajerul @ Khajerul Son of Md. Majebul resident of Gowabari, Police
Station- Dighalbank, Dist.- Kishanganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Adv

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 29-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the prayer for bail of the petitioner was earlier rejected on 30.09.2013, on merits, there would be no question of considering the case of the petitioner again on merits.

As a matter of fact, when it is found that the petitioner himself was responsible in delaying the trial in the sense that he did not produce the order of this Court dated 30.09.2013, before the trial Court as is clearly recorded in the order dated 20.08.2014, passed by the Additional District and Sessions Judge, Kishanganj,

there would be no difficulty in holding that the petitioner also would not be entitled for any relief in view of the observations given in the earlier order dated 30.09.2013.

That apart from the report of the trial Court dated 19.05.2015, it also appears that now the trial of the petitioner is at the verge of completion, inasmuch as, all the prosecution witnesses have been examined and the case was fixed for recording the statement of the petitioner (accused) under Section-313 Cr. P.C. The trial Court had also clearly stated in such report that the trial is likely to be concluded within a period of four months if the prosecution co-operates.

Keeping in view that such report was submitted on 19.05.2015, this Court hopes and believe, that the trial of the petitioner shall be concluded within the time frame indicated by the Court below and if the petitioner does not co-operate, this fact should be also recorded in the ordersheet.

With the aforementioned observation and

direction, this application is disposed of.

Let a copy of this order be sent to the District & Sessions Judge, Kishanganj immediately both by FAX as also by post.

(Mihir Kumar Jha, J)



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