

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24165 of 2014

Arising Out of PS.Case No. -66 Year- 2011 Thana -MADHEPURA District- MADHEPURA

1. Kaushal Yadav, Son of Anil @ Shambhu Yadav, Resident of Village-
Mohaniyan P.S.- Bakhtiyarpur (Balwa Hat O.P.), District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Kalyan Shankar(App)

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

7 04-11-2015

Heard learned counsel for the petitioner.

The bail application of the petitioner was earlier rejected vide order dated 27/09/2012 in Cr. Misc. No. 30587 of 2012 with a direction that the trial be expedited and concluded at the earliest preferably within six months. However, from perusal of the record it appears that the Jail Superintendent did not produce the petitioner in Court and in this regard letter and reminder were sent to the Superintendent, District Jail, Madhepura but the accused had not been produced. The petitioner was produced in this case on 17.3.2015 for the first time, on which date the charges had been framed and the case is pending for disposal. It is further reported that out of 15 witnesses, mentioned in the charge sheet, 4 (four) have been examined and non bailable warrant of arrest was issued

against some witnesses.

Having regard to the fact that the trial is likely to be expedited, I am not inclined to grant bail to the petitioner. The prayer for bail of the petitioner is rejected.

However, Sub-divisional Magistrate, Madhepura is directed to ensure the attendance of the witnesses on the dates fixed in the case and the trial court is also directed to expedite the trial on day to day basis and take coercive steps against the witnesses to ensure their attendance on the date fixed. The Superintendent of Police, Madhepura is also directed to ensure the attendance of the witnesses on the dates fixed. The trial court is directed to proceed with the case on day to day basis and conclude the same at the earliest preferably within a period of four months from the date of receipt/ production of a copy of this order.

Let a copy of this order be sent to learned Additional Sessions Judge-1st, Madhepura and Superintendent of Police, Madhepura through FAX.

(Gopal Prasad, J)

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