

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8992 of 2015

Arising Out of PS.Case No. -191 Year- 2013 Thana -GAURICHAK District- PATNA

=====

Pintu Kumar Rai @ Pintu Rai, S/o Ram Ekawal Rai, resident of Mohadipur,
P.S. -Gaurichak, Distt. - Patna

.... Petitioner

Versus

The State of Bihar through the Director General of Police Government of
Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. M.K.Khare, APP
For the Informant : Mr. Anil Kumar Sinha, Advocate
Mr. Arvind Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 08-07-2015 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Sessions
Trial No. 1423 of 2013 arising out of Gaurichak P.S. Case No.
191 of 2013 registered for the offences punishable under
Sections 323, 324, 326 and 302 read with 34 of the Indian Penal
Code, pending before the learned Additional Sessions Judge-I,
Patna City.

The prayer for bail of the petitioner was earlier

rejected vide order dated 25.08.2014 in Cr. Misc. No. 27407 of 2014.

Learned counsel for the petitioner has submitted that by now the petitioner has remained in custody for about two years. There is no allegation of repetition of blow. The only allegation against the petitioner is that pursuant to the order given by his father, he gave a dagger blow to the victim. It has been contended that the petitioner has got not criminal antecedent.

On the other hand, learned counsel for the informant has vehemently opposed the prayer for bail. He has submitted that charges have already been framed. During trial two witnesses have already been examined on behalf of the prosecution. Referring to the charge sheet, he has submitted that there are 8 witnesses, out of whom, six are independent witnesses, whereas two are official witnesses. He has submitted that the remaining four independent witnesses are ready to depose before the trial court on day-to-day basis.

Regard being had to the facts and circumstances of the case, the prayer for bail of the petitioner is rejected at this stage. The trial court is directed to hold trial of the case on day-to-day basis and conclude the same as early as possible

preferably within nine months from the date of receipt/production of a copy of the order.

Learned counsel for the State shall ensure that the official witnesses are also examined during the period stipulated hereinabove.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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