

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12941 of 2015

Arising Out of PS.Case No. -101 Year- 2012 Thana -SIWAIPATTI
District- MUZAFFARPUR

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1. Anil Kumar S/o Sakal Dev Bhagat Resident of Village Tengrari Tole,
Dhapahar, P.S. Siwaipatti, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Opposite Party/s : Mr. Dinesh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 01-07-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The trial court has reported vide his letter dated
18.04.2015 that out of ten charge sheeted witnesses, six charge
sheeted witnesses have already been examined and the case is
pending for recording the evidence of three independent witnesses
and investigating officer of this case and to procure the attendance
of aforesaid remaining witnesses, the trial court has already taken
steps.



Learned counsel for the petitioner informs that petitioner is languishing in jail custody since 03.11.2012 and still the case is pending for recording the evidence of prosecution witnesses.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 118 of 2013 arising out of Siwaipatti P.S. Case No. 101 of 2012 pending in the court of 6th Additional Sessions Judge, Muzaffarpur is again rejected.

However, the concerned court is directed to conclude the trial of the petitioner within three months from the date of receipt/production of copy of this order even by taking the trial of the petitioner on day to day basis.

The copy of this order be sent to Senior Superintendent of Police, Muzaffarpur with direction to him to ensure the presence of remaining prosecution witnesses of aforesaid Sessions Trial No. 118 of 2013 arising out of Siwaipatti P.S. Case No. 101 of 2012 before the trial court within a month from the date of receipt/production of copy of this order.

It is made clear that any failure on the part of trial court as well as Senior Superintendent of Police, Muzaffarpur

shall be viewed seriously.

However, if the trial of the petitioner is not concluded within the above stated period of three months, the petitioner may renew his prayer for bail before the trial court itself.

(Hemant Kumar Srivastava, J)

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