

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22843 of 2015

Arising Out of PS.Case No. -373 Year- 2012 Thana -GARDANIBAGH District- PATNA

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Anil Rai @ Anil Kumar S/o - Late Sakaldeo Rai R/v- Saristabad, P.S.-
Gardanibagh, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. A.Haque Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 08-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with
Sessions Trial No. 654 of 2013 arising out of Gardanibagh P.S.
Case No. 373 of 2012 registered under sections 304B/34 of the
I.P.C. pending in the Court of A.D.J.-XIV, Patna.

Learned counsel appearing on behalf of the petitioner
submits that prayer of the petitioner, who happens to be husband
of the deceased, was earlier rejected by this Court vide Cr. Misc.
No. 32325 of 2013 on 20.02.2014 with direction to the trial Court
to expedite the trial, but till now trial of the petitioner has not been
concluded and petitioner, having no criminal antecedent, is in
custody since 04.02.2013.

Admittedly, prayer of the petitioner was earlier rejected on merit by this Court taking into consideration the nature of offence. The report, as received from the Addl. Sessions Judge vide Letter no. 322 dated 16.05.2015, shows that after framing of the charge, out of six witnesses, only one witness has been examined and the expected time for conclusion of the trial is six months.

Having considered the facts and circumstances of the case, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, the application stands rejected.

However, the trial Court is directed to take all effective steps for examination of the witnesses and conclude the trial within a period of six months. If the trial is not concluded within the aforesaid period, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J.)

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