

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10837 of 2015

Arising Out of PS.Case No. -69 Year- 2009 Thana -JAGDISHPUR District- BHAGALPUR

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Md. Parwez Akhtar @ Md. Javed @ Parwez Akhtar @ Javed @ Dara Mian,
son of Late Md. Zahid Khan @ Zahir Khan, resident of village - English
Chichraun, Police Station - Akbar Nagar in the district of Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Prasad Singh, Sr.Adv.
Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Binod Kumar –III, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 26-05-2015

Heard.

The prayer for bail of the petitioner was twice rejected earlier by an order dated 26.04.2013 (Annexure-1) passed in Cr.Misc.No.18155 of 2013 and again by an order dated 05.02.2014 (Annexure-2) passed in Cr.Misc.No.4098 of 2014 by a Bench of this Court (Coram: Shyam Kishore Sharma, J. since superannuated) on the ground that the petitioner is a main assailant for killing the husband of the informant. However, the prayer for bail has been renewed by the petitioner on the ground that he is in judicial custody since 11.11.2012 and despite framing of charge on 28.05.2014 the trial has not progressed.

Taking into consideration the fact that the petitioner is said to be the main assailant of the deceased and his prayer for bail was twice rejected by this Court and he is in judicial custody since 11.11.2012, the learned trial court is hereby directed to take up the trial of the petitioner on priority basis and all endeavours shall be made to conclude the same within a maximum period of nine

months from the date of receipt/production of a copy of the present order. However, if the trial of the petitioner is not concluded within the aforesaid period of nine months, without there being any fault on his part, then he shall be at liberty to renew his prayer for bail in connection with Sessions Trial No.1406 of 2012, arising out of Jagdishpur P.S. Case No.69 of 2009 pending in the court of learned 1st Additional Sessions Judge, Bhagalpur.

With the aforesaid directions/observations, the prayer for bail of the petitioner is rejected.

(Birendra Prasad Verma, J)

Arvind/-

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