

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45330 of 2015

Arising Out of PS.Case No. -126 Year- 2013 Thana -DALSINGHSARAI District- SAMASTIPUR

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Md. Mujib @ Md. Mojeeb Son of Samsul resident of village - Babupur
Salkani, P.S. Dalsinghsarai, District - Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prakash Chandra Jha, Advocate.

For the Opposite Party : Mr. J.N.Thakur (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-09-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner wants to renew his prayer for bail which was twice rejected earlier by order dated 18.11.2013 and 30.09.2014 passed in Cr. Misc. Nos. 47487 of 2013 and 30312 of 2014 on the ground that it was a case of love affairs and the doctor has found age of the victim twenty years. The trial has not been concluded as per direction given in order dated 30.09.2014 and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that from perusal of the impugned order dated 17.01.2015 passed by the learned Trial Judge it is evident that when the victim came in the court for her examination on 22.12.2014 adjournment was sought on behalf of

the defence on the ground that his learned counsel has gone out side to operate his eyes and then adjournment was allowed and as such delay has been caused due to conduct of the petitioner and further almost all the witnesses have already been examined and only I.O. and doctor are to be examined.

In the facts and circumstances as stated above, considering that trial is in progress and now only doctor and I.O. are to be examined, finding no good ground for reconsideration of prayer for bail, again prayer for bail of the petitioner stands rejected in connection with S. Tr. No. 405 of 2013 arising out of Dalsinghsarai P.S. Case No. 126 of 2013 pending in the court of Adhoc Additional District & Sessions Judge-III, Samastipur.

The trial court is directed to take all positive steps to conclude the trial within a period of two months, failing which the petitioner may be at liberty to renew his prayer for bail in the court below itself.

(Jitendra Mohan Sharma, J)

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