

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32765 of 2014

Arising Out of PS.Case No. -101 Year- 2012 Thana -DIDARGANJ District- PATNA

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Rajesh Kumar Son of Dilip Yadav Resident of Mohalla - Didarganj, P.S.
Didarganj, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 29-07-2015

Heard learned counsel for the parties.

Having regard to the fact that earlier prayer for bail of the petitioner was rejected on merits by the order dated 7.10.2013, this Court is not inclined to again examine the merits of the case of the petitioner.

The petitioner is the husband facing prosecution for offence under section 304B of the Indian Penal Code and is in custody since 30.10.2012 and therefore, this Court would direct that since the trial of the petitioner has already commenced the trial court must make its all endeavor to conclude the trial within a period of nine months from the date of receipt of this order.

The Sr. Superintendent of Police, Patna is also directed to ensure that the remaining prosecution witnesses in connection with Didarganj P.S.Case No. 101/2012 (S.Tr.No. 445/2013) are

produced within a period of four months from the date of receipt of this order.

If the trial of the petitioner, however, is not concluded within the aforementioned period of nine months, the petitioner may renew his prayer initially before the trial court which will record its reasons for not concluding the trial in the aforementioned time frame, whereafter the petitioner may renew his prayer for bail before this Court.

With the aforementioned observation, this application is disposed of.

Let a copy of this order be sent not only to the trial court but also to the Sr. Superintendent of Police, Patna for its compliance in letter and spirit.

(Mihir Kumar Jha, J)

surendra/-

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