

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25740 of 2014

Arising Out of PS.Case No. -63 Year- 2007 Thana -KOCH District- GAYA

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1. Dharmendra Paswan S/o Sita Ram Paswan Village- Ghorba, P.S.-
Konch, Distt.- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

5/ 15-04-2015

Heard the parties.

Prayer of the Petitioner for bail was rejected twice.

Perused the show cause of the Additional Sessions
Judge, East Champaran.

It appears that there was delay in sending the report to this Court on account of the Court remaining vacant. In his explanation, he has also mentioned that after closure of the prosecution witnesses on 04.07.2014 statement of the accused was recorded and thereafter the Petitioner filed application on 11.09.2014 that he is a juvenile and the case may be split up and sent to the Juvenile Justice Board. Thereafter, a school leaving certificate was filed upon which a report was called for from the District Education Officer which was not received till 16th January, 2015.

In such circumstances, there appears to be no latches in the trial and the Petitioner does not deserve on the ground of delay in trial.

Prayer of the Petitioner for bail in connection with Trial No.384 of 2009 arising out of Konch P.S. Case No.63 of 2007 pending before the FTC II, Gaya, is once again rejected.

The trial Court is directed to act upon the report of the District Education Officer expeditiously and pass necessary orders. In case report is not received, he shall issue reminder to the District Education Officer.

(Anjana Prakash, J)

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