

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22753 of 2015

Arising Out of PS.Case No. -108 Year- 2013 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Dinesh Sharma @ Munna Son of Sipahi Sharma resident of village -
Parahauti, P.S. Bhagwnpur, District - Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 14-10-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and
earlier his prayer for bail was rejected by this court vide order
dated 22-09-2014, directing the trial court to expedite the trial and
to conclude the same as early as possible.

The trial court vide letter No. 38 dated 26-05-2015
reported that only four prosecution witnesses could be examined
and furthermore, the trial court sought four months' time to
conclude the trial. Again, when specific report was called for, by
this court, the trial court vide its letter dated 27-08-2015, reported
that out of 11 prosecution witnesses, only four prosecution
witnesses could be examined.

It is obvious from the aforesaid fact that between 26-05-2015 to 27-08-2015, not a single prosecution witness was examined. The petitioner is languishing in jail custody since 21-01-2014 and it appears that prosecution only wants to keep the petitioner behind the bar without completing the trial.

However, prayer for bail of the petitioner is rejected at least, at this stage with direction to the trial court to conclude the trial of the petitioner within three months from the date of receipt/production of copy of this order, failing which, the petitioner may renew his prayer for bail before the trial court and if petitioner does so, the trial court shall pass appropriate order on the prayer of the petitioner.

Let copy of this order be communicated to the trial court/learned Additional District & Sessions Judge-IV/concerned court, Kaimur at Bhabua without any delay.

(Hemant Kumar Srivastava, J)

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