

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18869 of 2015

Arising Out of PS.Case No. -134 Year- 2010 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Bhulan Mukhiya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 02.06.2011 in a case
registered under Sections 307 and other minor sections of the
Indian Penal Code.

Petitioenr was put on trial and charge against him was
framed on 12.01.2012 but till today only five prosecution
witnesses could be examined though the trial court gave more than
68 adjournments to prosecution and it appears from Para-11 of the
petition that last witness of prosecution was examined on
01.04.2014 and after that no prosecution witness was produced.

It would appear from the record that this court time and
again directed the trial court to conclude the trial of the petitioner
within the stipulated period of time but learned trial court failed to



dispose of trial of the petitioner. However, impugned order dated 25.03.2015 passed by learned 8th Additional Sessions Judge, Bettiah, West Champaran in session trial no.657 of 2011 reflects that the case record of the aforesaid sessions trial no. 657 of 2011 was received in his court on 13.03.2015 from the court of 2nd Additional Sessions Judge, Bettiah, West Champaran. Therefore, it appears that the then 2nd Additional Sessions Judge, Bettiah, West Champaran took the direction of this Court in a very casual manner and did not pay any heed towards the specific direction of this Court. The act and conduct of the then 2nd Additional Sessions Judge, Bettiah, West Champaran appears to be contemptuous.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 8th Bettiah, West Champaran in connection with session trial no. 657 of 2011 arising out of Nautan P.S.Case No. 134 of 2010.

(Hemant Kumar Srivastava, J)

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