

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11687 of 2016

Arising Out of PS.Case No. -61 Year- 2014 Thana -IMAMGANJ District- GAYA

=====

1. Anuj Kumar Son of Laxmi Ram Resident of Village-Dighasin, PS
Imamganj, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

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

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-08-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The trial court has reported that still the case of
petitioner has not been committed to the court of sessions as some
of the accused are not appearing before the trial court.

Petitioner is in jail custody since 5.07.2014 and as per
submission on his behalf, the charge sheet against him was filed
some time in the year 2014. The trial court has reported that
cognizance of the offence was taken on 06.02.2016 and after
taking cognizance of the offence, the case of petitioner and other
accused is still pending for commitment.

I am surprised to see the conduct of Sub-Divisional
Judicial Magistrate, Sherghaty at Gaya because admittedly, charge

sheet against the petitioner was submitted some time in the year 2014 but up till now, his case has not been committed to the court of sessions. Therefore, in the aforesaid circumstance, the concerned court is directed to commit the case of the petitioner to the court of sessions in accordance with law even by separating the case of other accused, who are not appearing before the trial court. The commitment of the case of the petitioner should be made within two weeks from the date of receipt/ production of copy of this order in the manner, as stated above.

However, it is made clear that after commitment of the case, the concerned sessions court shall expedite the trial of the petitioner without any delay. It is further made clear that if the trial of the petitioner is not concluded within six months from the date of receipt/ production of record of the case in sessions court, petitioner may renew his prayer for bail before the trial court itself.

(Hemant Kumar Srivastava, J)

N.K/-

U		T	
---	--	---	--