

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20446 of 2015

Arising Out of PS.Case No. -119 Year- 2012 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

=====

Mithai Sah son of Late Jagdeo Sah, resident of Village- Near Hardia Nahar,
P.S.- Shikarpur, District- West Champaran

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.
For the State : Mr. Ram Naresh Roy, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 11-05-2016 Perused the report.

It has been reported charge has been framed in this case on 04.12.2012, but up till date out of eleven charge sheeted witnesses, only three witnesses have been examined and it has been reported that a reminder letter has been sent to the S.P., Bettiah on 02.05.2016 for compliance of court's order and to ensure the attendance of remaining witnesses.

From perusal of the report, it appears that learned Additional District & Sessions Judge-II, Bettiah, sitting tight over the matter, since charge framed on 04.12.2012 , but the report does not show what steps have been taken after framing of the charge on 04.12.2012 till issuance of bailable warrant of arrest on 31.03.2015. Thereafter, step has been taken on 06.07.2015 for

issuance of non-bailable warrant of arrest against the witnesses, but there is not mentioned in the report what steps have been taken during the period and court proceeding is going on leisurely manner when the petitioner is in jail custody since 18.04.2012 and this is a matter of serious concern. The report of the Additional District & Sessions Judge-II, also does not mention as to whether warrant of arrest and summon has been issued against the witnesses has been complied or not or execution report/service report has been received or not.

Hence, the trial court is directed to ensure the attendance of the witnesses failing which the authority concern shall held responsible.

Let a copy of the order be sent to the concerned court as well as to the S.P., Bettiah for immediate compliance of the order and the case be disposed of within three months.

With this observation, the petition is disposed of.

m.p.

(Gopal Prasad, J)

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