

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11358 of 2016

Arising Out of PS.Case No. -122 Year- 2013 Thana -KURSAKANTA District- ARRARIA

Bhola Singh Son of Late Laxmi Singh Resident of Village - Khajurbari,
P.S. Kursakanta, District Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate
For the Opposite Party : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 24-08-2016 Heard both sides.

Petitioner seeks bail in Kursakanta P.S.Case No.122 of 2013 corresponding to Sessions Trial No.325 of 2014 registered for an offence under Sections 147, 148, 149, 341, 323, 324, 307, 506, 397 and 302 of the IPC.

The prayer for bail of the petitioner was earlier rejected vide order dated 23.04.2015 passed in Cr.Misc.No.4373 of 2015 with a direction to the trial Court to expedite the trial and conclude the same within nine months.

It is submitted that the trial has not yet been concluded and only two witnesses are examined. It appears that the case was committed to the Court of Sessions in the year 2015 but the Court was vacant and the Presiding Officer of the Court joined on

29.01.2016. Four witnesses have already been examined and the trial is going on day to day basis after 11.08.2016. The petitioner is alleged to have assaulted the deceased with sword on his head.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is again rejected.

The trial Court is directed to expedite the trial and hold the trial on day to day basis so that the same may be concluded within six months. The Superintendent of Police, Araria is directed to take steps to procure the attendance of the non-examined prosecution witnesses of Kursakanta P.S.Case No.122 of 2013 corresponding to Sessions Trial No.325 of 2014 and produced them in the Court of 3rd Additional Sessions Judge, Araria so that the learned trial Court may be able to conclude the same within six months. If the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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