

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14008 of 2016

Arising Out of PS.Case No. -164 Year- 2007 Thana -DHAMDAHA District- PURNIA

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1. Laddu Mehta Son of Late Nityanand Mehta resident of Village- Mokma,
P.O.- Vishanpur, P.S.- Dhamdaha, District- Purnia(Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 10-08-2016

Heard.

Earlier, the prayer for bail of the petitioner was rejected vide order dated 07.09.2015 passed in Cr. Misc. No. 3638 of 2015.

The trial court has reported that out of 14 charge sheeted witnesses, up till now, only one prosecution witness could be examined and to procure the attendance of remaining prosecution witnesses, warrant of arrest has already been issued against them. The learned trial court has sought for six months' time to conclude the trial of the petitioner.

The present occurrence is said to have taken in the year 2007 whereas petitioner could be remanded in the present case on 18.04.2014, i.e., after seven years of the occurrence.

Since the trial of the petitioner has already commenced, I do not feel it proper to release the petitioner on bail and, accordingly, his prayer for bail in connection with Session trial no. 634 of 2014, arising out of Supplementary Dhamdaha P.S.Case No. 164 of 2007, pending in the court of Additional Sessions Judge- VIII, Purnea, is again rejected.

However, the learned trial court is directed to conclude the trial of the petitioner on priority basis within six months from the date of issuance of letter no. 222 of 2016 even by taking the trial of the petitioner on day to day basis.

Let a copy of this order be sent to the Superintendent of police, Purnea with direction to him to ensure the presence of remaining prosecution witnesses of session trial no. 634 of 2014 before the trial court without any delay and any failure on the part of prosecution as well as police officials shall be viewed seriously.

(Hemant Kumar Srivastava, J)

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