

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15245 of 2016

Arising Out of PS.Case No. -104 Year- 2010 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Annu Bhagat son of Late Arjun Bhagat resident of Village - Paratapur, P.S.
- Mehsi, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-05-2016

Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner wants to renew his prayer of bail in connection with Sessions Trial No. 297 of 2011 arising out of Mehsi P.S. Case No. 104 of 2010, which was rejected by order dated 25.11.2011, 29.06.2012 and 08.05.2013 passed in Criminal Misc. No. 22218 of 2011, 24134 of 2012 and 15057 of 2013 on the ground that the petitioner is in custody since 06.10.2010 and up till now only six prosecution witnesses have been examined and last witness was examined on 17.08.2012, since then no prosecution witness has been examined and, as such, the petitioner deserves sympathetic consideration.

The learned APP opposes the prayer of bail.

In the facts and circumstances stated above, at present, I am not inclined to enlarge the petitioner on bail and

accordingly his prayer stands rejected in connection with Session Trial No. 297 of 2011 arising out of Mehsi P.S. Case No. 104 of 2010 pending in the Court of learned 9th Additional Sessions Judge, East Champaran.

However, the learned trial court is directed to expedite the trial and to conclude the same preferably within six months from the date of receipt of a copy of this order after taking the same on priority basis.

The learned trial Judge shall take all positive steps to secure the attendance of prosecution witnesses.

The S.P. concerned is also directed to take personal interest for presenting the witnesses in the Court by directing the officer incharge concerned.

Let the copy of this order be sent to the S.P. concerned.

If the trial is not concluded within said period, the petitioner, if at no fault, may be at liberty to renew his prayer of bail.

(Jitendra Mohan Sharma, J)

Mishra/-

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