

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16198 of 2016

Arising Out of PS.Case No. -22 Year- 1995 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. BIGGU BIND @ CHANDRADEEP BIND @ BIGGU son of Husaini Bind, resident of Village Tekari Chhauni, P.S. Tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-10-2016

Heard both sides.

The petitioner seeks bail in Kudra P.S. case No. 22 of 1995 under Section 304B, 302/34 of the Indian Penal Code.

The prayer of petitioner for bail was earlier rejected twice by this court vide order dated 15.05.2014 passed in Cr. Misc. No. 8921 of 2014 and vide order dated 10.09.2015 passed in Cr. Misc. No. 41573 of 2015. The petitioner is the husband of the deceased. It appears that the case is of the year 1995.

It is submitted that petitioner is in jail for more than three years but the trial has not yet been concluded. Not even a single witness has been examined as yet.

It appears that case is of the year 1995 but the petitioner remained absconder for more than a decade.

Considering the nature of allegation made against the

petitioner and the fact that petitioner was absconding for more than a decade, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

The Superintendent of Police, Kaimur at Bhabhua is directed to ensure the attendance of all the prosecution witnesses of Kudra P.S. case No. 22 of 1995, corresponding to Sessions Trial No. 270 of 2014/ 16 of 2015, one by one in the court of learned 1st Additional Sessions Judge, Kaimur at Bhabhua so that the trial must be concluded within six months.

If any witness is not produced on any date by Superintendent of Police, Kaimur, Bhabhua, the trial court is directed to report the matter to this court for necessary action.

Let a copy of this order be communicated to the learned 1st Additional Sessions Judge, Kaimur at Bhabhua as well as Superintendent of Police, Kaimur, Bhabhua for information and needful.

(Prabhat Kumar Jha, J)

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