

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16496 of 2016

Arising Out of PS.Case No. -30 Year- 2013 Thana -RASULPUR District- SARAN

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Guddu Kumar @ Guddu Singh, Son of Awadh Kishore Singh, Resident of
Village- Dohar, Police Station- Rasulpur, District-Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash, Advocate

For the Opposite Party : Mr. Lalan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-09-2016

Heard both sides.

The petitioner seeks bail in Sessions Trial no. 54
of 2014 arising out of Rasulpur P.S. case no. 30 of 2013 registered
under Sections 304B, 201/34 of the Indian Penal Code.

The petitioner is the husband of the deceased.
The prayer for bail of the petitioner was earlier rejected vide order
dated 10.09.2015 passed in Cr. Misc. no. 22328 of 2015 with a
direction to the Trial Court to conclude the trial within six months
but the trial has not yet been concluded.

Sri Bindhyachal Singh, learned counsel for the
petitioner submitted that the petitioner has got two minor children
to look after. It is further submitted that the petitioner is in jail for
more than three years as there is allegation against him that he has

killed his wife.

Considering the facts and nature of allegations made against the petitioner, I am not inclined to enlarge the abovenamed petitioner on bail and accordingly, the prayer for bail of the petitioner is rejected.

From perusal of the report of the learned 9th Additional District and Sessions Judge, Chapra, it appears that there is a very sorry state of affairs that inspite of the order of this Court, the case was earlier pending in the Court of 11th Additional District and Sessions Judge, Chapra and not a single witness has been examined. Thereafter, the said record was transferred to the Court of 9th Additional District and Sessions Judge, Chapra only after March, 2016. The Superintendent of Police, Saran was directed to ensure the attendance of all the prosecution witnesses but he too failed to ensure the attendance of witnesses causing inordinate delay in disposal of the sessions trial.

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, Saran is directed to ensure the attendance of non-examined witnesses of Rasulpur P.S. case no. 30 of 2013 pending in the court of 9th Additional District and Sessions Judge, Chapra so that the trial

must be concluded within four months.

Let a copy of this order be sent through Fax to the 9th Additional District and Sessions Judge, Chapra as well as Superintendent of Police, Saran for information and needful. If the trial is not concluded within four months then the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J.)

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