

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22873 of 2016

Arising Out of PS.Case No. -55 Year- 2014 Thana -EKMA District- SARAN

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Parshuram Mahto, son of Late Ramdeo Mahto, resident of Village-Tarbaniya, PS. Ekma, Distt- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-12-2016 Heard both sides.

The petitioner seeks bail in Ekma P.S. Case No. 55/2014 registered under Section 302 and other sections of the Indian Penal Code.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 11.03.2015 passed in Cr. Misc. No. 5334/2015 but the petitioner is in jail for about 2½ years and the trial has not yet been concluded. The only material against the petitioner is that Dhananjay Kumar made statement under Section 164 of the Code of Criminal Procedure that the petitioner killed Nitesh only because Nitesh had love affairs with Manisha, the daughter of the informant. There is no corroborating evidence.

Considering the facts aforesaid and the nature of



allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail in Ekma P.S. Case No. 55 of 2014, corresponding to S. Tr. No. 507 of 2015. Accordingly, the same is rejected.

Since the petitioner is in jail for about 2½ years, the trial court is directed to hold the trial of S. Tr. No. 507 of 2015 on day-to-day basis and conclude the same within six months from the date of receipt / production of this order.

The Senior Superintendent of Police, Saran is directed to ensure attendance of the non-examined prosecution witnesses of S. Tr. No. 507 of 2015 in the court of the learned 6th Additional Sessions Judge, Saran so that the trial must be concluded within six months.

Let a copy of this order be sent to the learned trial court as well as the Superintendent of Police, Saran for information and needful.

(Prabhat Kumar Jha, J)

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