

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20708 of 2016

Arising Out of PS.Case No. -117 Year- 2014 Thana -BELAGANJ District- GAYA

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1. Udai Kumar Singh @ Udai Singh @ Udai Kumar S/o Dharmdeo Singh
R/o Village- Belhari, PS Belaganj, District Gaya. Petitioner/s
Versus

1. The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kr.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 14-09-2016

Heard both sides.

The petitioner seeks bail in Belaganj P.S. case No. 117 of 2014 under Section 498A, 304B, 201/34 and other sections of the Indian Penal Code.

The learned counsel for the petitioner submits that prayer of petitioner for bail was earlier rejected by this court vide order dated 21.04.2015 passed in Cr. Misc. No. 7745 of 2015 with a direction to the trial court to conclude the trial within nine months from the date of receipt or production of a copy of the order but the trial has not yet been concluded and not even a single witness has been examined.

It appears that petitioner is husband of the deceased and he is in custody since 12.08.2014.

From a perusal of report of the learned 4th Additional Sessions Judge, Gaya, it appears that charges were framed on

27.05.2016 but no witness was present from 16.01.2016 to 26.02.2016. From the report of learned 4th Additional Sessions Judge itself it appears that he has not taken care of the directions of this court for conclusion of trial. Even the report contains many wrong facts and dates.

Considering the fact that petitioner is the husband, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the same is rejected.

The learned 4th Additional Sessions Judge, Gaya 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 Senior Superintendent of Police, Gaya is directed to ensure the attendance of prosecution witnesses of Belaganj P.S. case No. 117 of 2014, corresponding to Sessions Trial No. 368 of 2016/ 112 of 2016, in the court of learned 4th Additional Sessions Judge, Gaya so that the trial must be concluded within six months.

Let a copy of this order be sent to the learned 4th Additional Sessions Judge, Gaya as well as Senior Superintendent of Police, Gaya for information and compliance through fax.

(Prabhat Kumar Jha, J)

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