

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51277 of 2015

Arising Out of PS.Case No. -248 Year- 2010 Thana -BAKHTIYARPUR District- PATNA

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1. Ashok Sharma, @ Ashok Singh son of Arjun Sharma, Resident of Village- Salimpur Milki, P.S.- Salimpur (Bakhriyarpur), District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Sharda Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 248 of 2010 registered for the offences punishable under Sections 147/148/149/323/302 of the Indian Penal Code and Section 27 of Arms Act.

The petitioner wants to renew his prayer of bail, which was earlier twice rejected vide order dated 24.09.2012 and again vide order dated 07.01.2015 passed in Cr. Misc. No. 21279 of 2012 and 49958 of 2014, on the ground that the trial has not been concluded within the time framed vide order dated 07.01.2015 and up-till-now only three prosecution witnesses have been examined who have been declared hostile and the petitioner is suffering in

custody since 10.03.2012 to which learned APP opposes by submitting that the petitioner is the assailant.

In the facts and circumstances stated above, at present this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, again the trial court is directed to conclude the trial court within six months from the date of receipt/communication of this order by taking the same on day to day basis. Learned trial court is directed to take all positive steps for procuring the attendance of the witnesses and the Superintendent of Police concern will cooperate in producing the witnesses in time in the court, if without fault of the petitioner and other co-accused the trial is not concluded within that period then the petitioner shall be released on bail on execution of bail bond to the satisfaction of the learned trial court itself.

The trial court is directed to send a copy of this order to the Superintendent of Police concern for immediate compliance.

(Jitendra Mohan Sharma, J)

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