

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46900 of 2014

Arising Out of PS.Case No. -25 Year- 2012 Thana -DHAMDHAHA District- PURNIA

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Pramod Mehta, Son of Hari Lal Mehta, Resident of Village- Mokma, P.S.
Dhamdaha, District Purnea. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

3 06-04-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

Perused the report of the learned 3rd Additional Sessions Judge, Purnea, bearing Letter No.-167 dated 17th of February, 2016, Flag 'A' wherefrom it transpires that in this case charge was framed on 09.12.2013 and thereafter, the five non-official witnesses have been examined till 11.02.2016 and one non-official and three official witnesses are yet to be examined. The next date fixed in this case is 08.03.2016 for evidence of prosecution.

Hence, the Trial Court is directed to expedite the trial (Sessions Trial No. 1332 of 2013 arising out of Dhamdaha P.S. Case No. 25 of 2012) by using coercive steps against the witnesses for their production through the Superintendent of Police, Purnea. It is further directed that the Trial Court shall issue process summon/warrant against the witnesses through the Superintendent

of Police, Purnea on specific date against each of the witnesses separately. However, it may be noted that the Trial Court should look into the matter that the direction issued for service of summon or warrant be complied with by the office and the summon and warrant sent to the Executing Authority be also respected. If there is laches on the part of either of the office or the Executing Authority in complying with the direction of the Court, then the Court shall take stern action against the erring official/Officer and ensure the attendance of the witnesses. The Superintendent of Police, Purnea is also directed to ensure the attendance of the witnesses on the date fixed so that the trial be concluded at the earliest.

Let a copy of this order be sent to the Superintendent of Police, Purnea and the Court concerned.

Having regard to the fact that there is direct allegation against the petitioner and earlier the bail of the petitioner was also rejected, I am not inclined to grant bail to the petitioner.

With this observation, the petition is disposed of with a direction that the trial be concluded within four months.

(Gopal Prasad, J)

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