

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.599 of 2016

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1. Arun Kumar Mahto @ Arun Mahto S/o Sri Jhansi Mahto, Resident of
Village - Mandas P.S. Ekangarsarai P.O. - Telhara, District-Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Roy, Advocate
Mrs. Sheela Sharma, Advocate

For the Respondent/s : Mr. Lalit Kishore, PAAG-I
Mr. Avijit Sinha, AC to PAAG-I

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 05-09-2016

Ref: I.A. No.1793 of 2016

Heard Mr. Shivendra Kumar Roy, learned Counsel,
appearing on behalf of the petitioner, and Mr. Lalit Kishore,
learned Principal Additional Advocate General No. I, appearing
on behalf of the State-respondents.

By making this application, the applicant seeks
exemption from personal appearance of Chief Secretary,
Government of Bihar, on 05.09.2016.

Having regard to the submissions made, personal
appearance of the Chief Secretary, Government of Bihar, is
dispensed with.

I.A. No.1793 of 2016 stands disposed of.

With the help of this writ petition, made under



Articles 226 and 227 of the Constitution of India, the petitioner, who is an accused in Sessions Trial No. 301 of 1993, arising out of Ekangarsarai Police Station Case No.143 of 1985, pending in the Court of learned Additional Sessions Judge, Nalanda, whose bail was cancelled twice, seeks a direction for expeditious disposal of the criminal trial inasmuch as the trial has not been concluded and, in fact, according to the petitioner, not even a single witness has been examined since after 2009.

Heard Mr. Shivendra Kumar Roy, learned Counsel, appearing on behalf of the petitioner, and Mr. Lalit Kishore, learned Principal Additional Advocate General No. I, appearing on behalf of the State-respondents.

Considering the fact that speedy trial is an integral facet of fair trial guaranteed under Article 21 of the Constitution, such an inordinate delay, as in the present case, cannot be allowed.

Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed, as submitted by Mr. Lalit Kishore, learned Principal Additional Advocate General No.I, that the prosecution shall produce its witnesses, at the trial of the accused-petitioner, and the learned trial Court shall ensure that the trial proceeds expeditiously and is concluded, preferably, within a period of 4(four) months from the date of receipt of a

copy of this order by the learned Court below.

With the above observations and directions, this applications stands disposed of.

(I.A. Ansari,CJ)

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