

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.35315 of 2016**

Arising Out of PS.Case No. -94 Year- 2012 Thana -SAHPUR District- PATNA

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Shashikant Kumar @ Tamatar, S/o of Dinesh Thakur, resident of Village-  
Mubarakpur, P.S Sahpur, Distt Patna.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : M/S. Rakesh Kumar & Rikesh Sinha,  
Advocates.

For the Opposite Party : Mr. Murlidhar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      21-09-2016                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since 10.07.2012  
in connection with Shahpur P.S. Case No. 94 of 2012, Sessions  
Trial No. 1326 of 2012, for the offences instituted under Sections  
302/34 of the IPC.

It is alleged that the grand-father and grand-mother of the  
informant was killed and the petitioner's name has come on the  
basis of confessional statement of the co-accused.

The earlier bail application of the petitioner was rejected  
vide Annexure-1 to the present application with a direction to the  
court below to conclude the trial preferably within a period of six

months from the date of receipt/production of copy of the order. The District Magistrate, Patna, was also directed to take all necessary steps to ensure that the remaining official witnesses are produced on the date fixed by the court below. This is second attempt for grant of bail on behalf of the petitioner.

A report was called for from the court below regarding the stage of the case indicating within what period the trial is expected to be concluded. It has been reported that out of 08 prosecution witnesses, 05 witnesses have already been examined. The official witnesses are yet to be examined. The trial is expected to be concluded within a period of three months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Shahpur P.S. Case No. 94 of 2012, Sessions Trial No. 1326 of 2012, pending in the court of the learned Additional Sessions Judge, Danapur, Patna.

The court below is further granted four months' time to conclude the trial from the date of receipt/production of copy of the order.

The District Magistrate, Patna and the Senior Superintendent of Police, Patna, are also directed to ensure that the remaining official witnesses are produced before the court below

on the date fixed for the evidence so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Patna and the Senior Superintendent of Police, Patna.

U.K./-

**(Sudhir Singh, J)**

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