

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29285 of 2016

Arising Out of PS.Case No. -13 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

1. Indu Jha son of Ram Vinod Jha resident of Mohalla Balbhadrapur (Navtol), P.S. Bahadurpur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha

For the Opposite Party/s : Mr. Sri Gajendra Prasad Yadav

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 21-09-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by this court vide order dated 24-11-2015 passed in Cr. Misc. No. 29957 of 2015 but submission on behalf of petitioner is that the petitioner is in jail custody since 19-01-2015 and uptill now, his trial has not been concluded.

The in-charge of IInd Additional Sessions Judge, Darbhanga has reported vide letter No. 301/16 dated 07-09-2016 that charge against the petitioner and other accused was framed on 24-05-2016 and out of 8 proposed charge sheeted witnesses, only one prosecution witness could be examined and the case is pending for recording the evidence of other prosecution witnesses.

It has also been reported by the concerned in-charge court that the court, in which, the case of the petitioner is pending, is lying vacant since 11-08-2016.

Considering the above-said facts and circumstances of the case as well as submission of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Bahadurpur P.S. Case No. 13 of 2015 corresponding to Sessions Trial No. 315 of 2015 stands rejected.

However, the learned Sessions Judge, Darbhanga is directed to ensure the transfer of case of the petitioner to a functional court within a week from the date of receipt/production of copy of this order and, after that, the concerned trial court shall expedite the trial of the petitioner and shall try to conclude the same as early possible, preferably, within six months from the date of receipt of the record in concerned court.

A.K.V./-

(Hemant Kumar Srivastava, J)

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