

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32538 of 2016

Arising Out of PS.Case No. -188 Year- 2014 Thana -BALRAMPUR District- KATIHAR

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1. Md. Faraz Alam son of Late Sekh Samiruddin resident of Village -
Silampur, P.S. Balrampur, District: Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-11-2016

Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in connection with
Balrampur P.S.Case No. 188 of 2014 (S.Tr. No. 57 of 2015)
registered under Sections 302 and 201 of the Indian Penal Code,
pending in the court of learned 2nd Additional Sessions Judge,
Katihar.

The prosecution case, in brief, is that on 28.04.2014
the daughter of the informant Arefa Khatoon went to Dalkola with
the petitioner on cycle. Thereafter she did not return and later on
her dead body was found nearby the railway line.

Earlier the prayer for bail of the petitioner was
rejected vide Annexure 1 to the present application with a
direction to the trial court to conclude the trial within a period of

one year from the date of receipt/ production of a copy of this order. This is the second attempt for bail on behalf of the petitioner. A report was called for from the trial court regarding stage of the case. It has been reported that out of 17 charge sheeted witnesses, three witnesses have already been examined and since the court is vacant the trial has not been proceeded.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner and same is rejected at this stage.

As the petitioner is in custody since 04.11.2014, the District and Sessions Judge, Katihar, is directed to look into the matter so that the trial of the case can reach to its logical conclusion.

The District Magistrate, Katihar and the Superintendent of Police, Patna are also directed to ensure that the prosecution witnesses are produced in court on the date fixed by the trial court.

Let a copy of this order be communicated to the District Magistrate, Katihar and the Superintendent of Police, Katihar for necessary action.

(Sudhir Singh, J)

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