

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27450 of 2016

Arising Out of PS.Case No. -139 Year- 2014 Thana -HASPURA District- AURANGABAD

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1. Amresh Kumar @ Amresh Kumar Ranjan S/o Shyam Narayan Ram
resident of village - Munjahra, P.S. Goh, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 07-09-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Earlier, the prayer for bail of the petitioner was rejected, giving direction to the trial court to conclude the trial of the petitioner within five months from the date of receipt of the record in sessions court and liberty was given to the petitioner to renew his prayer for bail before the learned trial court itself, if his trial is not concluded within the above stated period of five months.

The trial court has reported that due to filing of several petitions for adjournment, the charge against the petitioner could not be framed and, subsequently, charge against the petitioner was framed on 19.05.2016. The trial court has also reported that two prosecution witnesses have already been examined and the case of petitioner is pending for recording the prosecution evidence.

Learned counsel for the informant submits that the informant shall produce her witnesses without any delay and if trial court is ready to take the trial of the petitioner on day to day basis, the informant shall produce her witnesses on each and every date.

Considering the aforesaid facts and circumstances as well as the submissions of the parties, prayer for bail of the petitioner in connection with Session Trial No. 310 of 2015/ 17 of 2016, arising out of Haspura P.S.Case No. 139 of 2014, pending in the court of 1st Additional Sessions Judge, Aurangabad is again rejected.

However, the trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within three months from the date of receipt/ production of a copy of this order even by taking the trial of the petitioner on day to day basis. Furthermore, the prosecution is directed to produce its witnesses within two months from the date of receipt/production of a copy of this order. It is also made clear that if the trial court fails to conclude the trial of the petitioner within the above stated period of three months, petitioner may renew his prayer for bail before the trial court itself.

(Hemant Kumar Srivastava, J)

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