

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32679 of 2016

Arising Out of PS.Case No. -61 Year- 2014 Thana -MAHILA PS District- JEHANABAD

=====

1. Vishwanath Yadav Son of Yugal Yadav resident of Village - Mudera,
Police Station - Kako in the district of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Smt. Gulnar Begam

=====

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.

Petitioner is in jail custody since 04.10.2014 but up till
now, only two prosecution witnesses, i.e., doctor and I.O., could
be examined and so far as rest charge sheeted witnesses are
concerned, it would appear from perusal of report of learned 1st
Additional Sessions Judge, Jehanabad, that in spite of issuance of
non bailable warrant of arrest against the witnesses, the
prosecution failed to produce them.

There is serious allegation of rape against the petitioner
and earlier, his prayer for bail was rejected by this Court and,
therefore, again this Court is not inclined to release the petitioner
on bail and, hence, his prayer for bail in connection with Sessions

Trial No.57 of 2015/06 of 2015 (arising out of Jehanabad Mahila P.S. Case No.61 of 2014) pending in the court of Additional Sessions Judge 1st, Jehanabad, is rejected.

However, let a copy of this order be sent to the Superintendent of police, Jehanabad, with direction to him to ensure the presence of remaining prosecution witnesses of the above stated case before the court of Additional Session Judge 1st Jehanabad within a month from the date of receipt/ production of copy of this order, failing which the matter shall be viewed seriously and the learned trial court is directed to conclude the trial of the petitioner within four months from the date of receipt of this order, failing which petitioner may renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

N.K/-

U		T	
---	--	---	--