

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46606 of 2016

Arising Out of PS.Case No. -185 Year- 2014 Thana -BARSOI District- KATIHAR

1. Md. Aslam @ Aslam son of Late Manzoor resident of Village-
Bajeedpur, Police Station- Barsoi, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-11-2016 Heard learned counsel for the petitioner and the

State.

The petitioner is in custody in connection with
Barsoi P.S.Case No. 185 of 2014 (S.T.No.172 of 2015) registered
under Sections 147,148, 149, 504,325, 307 and 302 of the Indian
Penal Code, pending in the court of learned Additional District
Judge, Katihar.

It is alleged by the informant that on 4.11.2014 at
about 8 A.M. his father was brooming the vacant land, which is
located at the front of his house. In the meantime petitioner and
others came there and stopped him from brooming and also started
abusing him and altercation took place. Other accused persons
also came there and they instigated the petitioner to kill him. The

petitioner gave a Dabiya blow which hit on the head of the father of the informant which inflicted injury him and he fell down on the ground. Then other accused persons indiscriminately brandishing the lathi. When the deceased raised alarm then the informant and his mother arrived there. They were also brutally assaulted.

Earlier the prayer for bail of the petitioner was rejected vide Annexure 2 to the present application with a direction to the trial court to conclude the trial within nine months from the date of receipt/ production of a copy of this order. In the light of the said observation, the present application has been preferred on behalf of the petitioner. A report was called for regarding the stage of the case. It has been reported that out of charge sheeted witnesses, one witness has been examined. The trial of the case is being proceeded on alternate day basis and the trial of the case is likely to be concluded within sixty days.

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. The trial court is directed to conclude the trial within a period of two months from the date of receipt/ production of a copy of this order.

The District Magistrate, Katihar and Superintendent

of Police, Katihar are directed to ensure that the prosecution witnesses are produced on the date fixed by the trial court, so that the trial may be concluded within the stipulated period.

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

(Sudhir Singh, J)

singh/-

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