

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44234 of 2016

Arising Out of PS.Case No. -209 Year- 2015 Thana -NAYA RAM NAGAR District- MUNGER

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Md. Intekhab Alam son of Late Md. Ismaeel Resident of Village-Banaudha,
P.S. Muffasil District Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 09-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 25(1-B)a, 26(i) (ii) and 35 of

the Arms Act.

The trial court has reported that charge against the

petitioner could be framed on 10.08.2016 but up till now, not a

single witness could be examined. However, the trial court has

assured this court that trial of the petitioner shall be concluded

within stipulated period as prescribed by this court.

In my view, the assurance given by the trial court

appears to his imagination because in the circumstance when not a

single prosecution witness has been examined by the prosecution,

the conclusion of trial of the petitioner within the period as fixed by this court vide order dated 06.05.2016 passed in Cr. Misc. No. 19220 of 2016 does not appear to be possible. Moreover, this court thinks it proper to give some more time to trial court so that trial court could take steps for conclusion of trial of the petitioner within time.

Accordingly, the prayer for bail of the petitioner in connection with Sessions Trial No. 130 of 2016 arising out of Naya Ram Nagar P.S. Case No. 209 of 2015 pending in the court of Additional Sessions Judge-III, Munger is again rejected.

However, learned trial court is directed to conclude the trial of the petitioner within two months from the date of receipt/production of copy of this order and if the trial court fails to conclude the trial of the petitioner within the above stated period due to laches and non cooperation of the prosecution, the trial court shall release the petitioner on bail fixing bail bonds on its own level.

(Hemant Kumar Srivastava, J)

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