

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47304 of 2016

Arising Out of PS.Case No. -84 Year- 2013 Thana -KUMARGHAND District- MADHEPURA

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1. MD. RASOOL MIAN @ RASOOL MIAN Son of Mda Mian Resident of
Village- Yaduapatti, P.S.- Kumarkhand, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 07-12-2016 Fresh waive copy of the order dated 28.03.2016 has
been filed. Let it be kept on the record.

Heard learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner wants to renew his prayer for bail,
which was earlier rejected vide order dated 18.03.2015 and again
by order dated 28.03.2016 in Cri. Misc. Nos. 1296 of 2015 and
4322 of 2016, on the ground that the petitioner is suffering in
custody since 28.09.2014 and out of 15 charge-sheeted witnesses
only ten prosecution witnesses have been examined and in near
future the trial is not likely to be concluded, to which the learned
A.P.P. opposes by submitting that the petitioner assaulted the
deceased on his head with *dabiya* and also cut his both legs.



In the facts and circumstances stated above, considering that trial is in progress and as such at present I am not inclined to reconsider the prayer for bail, again prayer for bail of the petitioner stands rejected in connection with Session Trial No. 29(A) of 2014 (arising out of Kumarkhand P.S. Case No. 84(s) of 2013, pending in the court of Additional Sessions Judge, 3rd Madhepura.

However, considering the period of detention of the petitioner, the learned trial court is directed to expedite the trial and to conclude the same as early as possible, preferably within a period of four months from the date of receipt/production of a copy of this order, after taking all the positive steps for securing attendance of rest of the prosecution witnesses, failing which the petitioner, if at no fault, may renew his prayer of bail.

(Jitendra Mohan Sharma, J)

siddharth/-

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