

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2081 of 2016

Arising Out of PS.Case No. -332 Year- 2014 Thana -BAHERA District- DARBHANGA

1. Jitendra Yadav son of Laxman Yadav, resident of village- Asma, P.S.- Ghanshyampur, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s Mr. C.Sen Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 25.01.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by a coordinate bench of this court vide order dated 13.08.2015 passed in Cr. Misc. No.29578/2015 taking note of statement of victim recorded under section 164 of the Cr.P.C and I do not find any fresh ground to reconsider prayer for bail of the petitioner.

No doubt, petitioner is in jail custody since 21.4.2015 but from perusal of the impugned order, I find that charge has already been framed and processes have been issued to procure the attendance of prosecution witnesses and, therefore, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Bahera P.S. Case no. 332/2014 corresponding to Sessions Trial no. 161/2015 pending in the court of Addl. Sessions Judge I, Benipur, Darbhanga stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible and furthermore, trial court must take legal steps against the erring police officials, if they fail to execute processes issued against the prosecution witnesses.

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(Hemant Kumar Srivastava,J)

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