

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6593 of 2016

Arising Out of PS.Case No. -41 Year- 2014 Thana -KADWA District- KATIHAR

Chhanguri Mahaldar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Braj Kishore Prasad (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 20-07-2016

Heard both sides.

The petitioner seeks bail in a case under Section 302 and other sections of the Indian Penal Code.

The petitioner is alleged to have assaulted, Akhilesh Mahaldar, brother of informant with Samath causing injury on his head. Consequently, Akhilesh Mahaldar died.

The prayer for petitioner for bail was earlier rejected by this court vide order 08.04.2015 passed in Cr. Misc. No. 6102 of 2015 with a direction to the trial court to conclude the trial within nine months.

From the report of learned 5th Additional Sessions Judge, it transpires that the order dated 08.04.2015 was not produced before him and the same was received through e-mail in the court of learned 3rd Additional Sessions Judge, Katihar, which

remained vacant.

Now the case is received in the court of learned 5th Additional Sessions Judge and out of eight six prosecution witnesses have been examined and the trial is likely to conclude within three months.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to hold the trial on day to day basis and conclude the same within three months. The Superintendent of Police, Katihar is directed to ensure the attendance of prosecution witnesses of Kadwa P.S. case No. 41 of 2014, corresponding to Sessions Trial No. 216 of 2014, in the court of learned 5th Additional Sessions Judge, Katihar so that the trial must be concluded within three months from the date of receipt of this order.

(Prabhat Kumar Jha, J)

BKS/-

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