

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20297 of 2016

Arising Out of PS.Case No. -64 Year- 2014 Thana -BADHAILA District- SASARAM (ROHTAS)

- =====
1. Ajit Kumar @ Ajit singh Son of Tulsi singh
 2. Jaswant Kumar @ jashwant singh Son of Tulsi singh All resident of Village - Rotwa, P.S.- Baghaila, District-Rohtas

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party : Mr. Rajendra Pd.Nat, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-09-2016 Heard both sides.

Petitioners seek bail in Baghaila P.S.Case No.64 of 2014 under Section 302 and other Sections of the IPC.

The informant alleged that the petitioners and three other persons assaulted his brother Sonu Kumar with lathi and iron rod. Sonu Kumar died during course of treatment. When the informant and his father went to save Sonu Kumar, the accused persons also assaulted them.

The prayer for bail of the petitioners was earlier rejected vide order dated 14.05.2015 passed in Cr.Misc.No.7363 of 2015.

It is submitted on behalf of the petitioners that the trial has not yet been concluded although there was a direction to conclude

the trial within nine months from the date of receipt/production of a copy of this order. A report was called for and the learned Additional Sessions Judge-III, Rohtas at Sasaram has reported that five witnesses have already been examined and only two witnesses, namely, doctor and I.O. are to be examined.

Considering the fact that the trial is at fag end, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

The trial Court is directed to proceed with the trial on day to day basis and conclude the same within four months from the date of receipt /production of a copy of this order.

The Superintendent of Police, Rohtas at Sasaram is directed to ensure the attendance of doctor and investigating officer of Baghaila P.S.Case No.64 of 2014 corresponding to Sessions Trial No.389 of 2015 to the court of learned 3rd Additional Sessions Judge, Rohtas at Sasaram so that the trial must be concluded within four months.

(Prabhat Kumar Jha, J)

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