

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20005 of 2016

Arising Out of PS.Case No. -117 Year- 2014 Thana -SAHIYARA District- SITAMARHI

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1. Rajeev Kumar Son of Ram Babu Mahto resident of Village- Baduri PS Sahiyara, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s Mr. Jagdhar Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 21.09.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State and also heard learned counsel for the informant.

Earlier prayer for bail of the petitioner was rejected by this court vide order dated 8.10.2015 passed in Cr. Misc. no. 16704/2015 but submission on behalf of the petitioner is that petitioner is in jail custody since 12.2.2015 but up till now, his trial could not be concluded.

The learned 2nd Addl. Sessions Judge, Sitamarhi has reported that charge against the petitioner and others was framed on 30.8.2016 and summonses against prosecution witnesses have already been issued.

In the aforesaid facts and circumstances, prayer for bail of the petitioner in connection with Sessions trial no. 327/2015 corresponding to Sahiyara P.S. case no.117/2014 pending in the court

of 2nd Addl. Sessions Judge, Sitamarhi is, again, rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and conclude the same as early as possible, preferably, within three months from the date of receipt/production of a copy of this order even by taking trial of the petitioner on day to day basis.

Since, informant has made appearance before this court through his learned counsel, informant must produce his entire witnesses except official witnesses within a period of one month from the next date fixed by the trial court. It is made clear that if trial of the petitioner is not concluded within the above stated period of three months due to laches on the part of prosecution, petitioner may renew his prayer for bail before the learned trial court itself.

Shahid

(Hemant Kumar Srivastava,J)

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