

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25043 of 2016**

Arising Out of PS.Case No. -10 Year- 2009 Thana -KASMA District- AURANGABAD

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1. Rajesh Yadav, S/o Brija Yadav, R/o Village- Tetariya, P.S.- Kasam,  
District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Binod Kr-3(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

5      07-09-2016      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

The learned trial court has reported that only I.O. and  
the doctor have been left to be examnuined and all the other  
material prosecution witnesses, have already been examined.

No doubt, earlier while rejecting the bail prayer of the  
petitioner, this court directed the trial court to conclude the trial of  
the petitioner within six months and uptill now, trial of the  
petitioner could not be concluded but the report of learned trial  
court goes to show that the trial of the petitioner is on the verge of  
conclusion and, therefore, I am not inclined to release the  
petitioner on bail and accordingly, his prayer for bail in connection  
with Kasma P.S. Case No. 10 of 2009 corresponding to Sessions

Trial No. 303(B)/09/266/2015 stands rejected.

However, learned trial court must dispose off the above stated case within three months from the date of receipt/production of copy of this order.

Let a copy of this order be sent to the Superintendent of Police, Aurangabad with direction to him to ensure the presence of the investigating officer and the doctor of the above-said case before the court of learned Additional Sessions Judge-VIII/concerned court, Aurangabad within a month without fail. Any laches on the part of the Superintendent of Police, Aurangabad shall be viewed seriously.

However, it is made clear that if, the trial court fails to conclude the trial of the petitioner within the above-said period without any fault of the petitioner, the petitioner may renew his prayer for bail before the learned trial court itself and in that event, the trial court shall pass appropriate order on the bail petition of the petitioner.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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