

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36100 of 2016

Arising Out of PS.Case No. -26 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

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Vinod Sah, Son of late Shukul Sah, resident of Village- Khemaipatti, P.S.
Minapur, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shishir Kumar, Advocate.

For the Opposite Party : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 12.05.2015
in connection with Minapur P.S. Case No. 26 of 2015 for the
offences instituted under Sections 302/34 of the IPC.

It is alleged that this petitioner and co-accused Ram
Babu Sah came armed with Lathi and assaulted the informant's
wife on her head regarding uprooting the Dhania crops. When he
went to rescue her they also assaulted him. During course of
treatment, the informant's wife died.

The earlier bail application of the petitioner was rejected
vide Annexure-1 to the present application. The court below was
directed to conclude the trial preferably within a period of one



year from the date of receipt/production of copy of the order. In light of said direction, the present application has been preferred on behalf of learned counsel for the petitioner.

A report was called for from the court below regarding the stage of the case. It has been reported that only two charge witnesses are yet to be examined including the doctor and processes have already been issued against the said witnesses. The trial is expected to be concluded within a period of four months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Sessions Trial No. 379 of 2015, arising out of Minapur P.S. Case No. 26 of 2015, pending in the court of the learned Sessions Judge, Muzaffarpur. The court below is directed to take all necessary steps to conclude the trial preferably within a period of four months from the date of receipt/production of copy of the order.

The District Magistrate, Muzaffarpur and the Senior Superintendent of Police, Muzaffarpur are also directed to take all necessary steps to produce the prosecution witnesses on the date fixed by the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the



District Magistrate, Muzaffarpur and the Senior Superintendent of
Police, Muzaffarpur.

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(Sudhir Singh, J)

