

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37720 of 2016

Arising Out of PS.Case No. -126 Year- 2014 Thana -MUSRIGHARARI District- SAMASTIPUR

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Kanhaiya Chaudhary son of Late Girdhar Chaudhary, resident of Village-
Rupauli, P.S- Mushari Gharari, District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar, Advocate

For the Opposite Party/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 21-09-2016

Heard the parties.

The prayer for bail of the petitioner was earlier rejected by order dated 04.03.2015 passed in Cr.Misc.No. 1099 of 2015 along with other Misc.Cases (Annexure-1) with an observation that if the trial of the petitioner is not concluded within a period of one year from the date of framing of charge, then he shall be at liberty to renew his prayer for bail.

By order dated 31.08.2016, a report was called for from the trial court about the status of trial of the petitioner which has been received and is kept at Flag 'A'. From perusal of the aforesaid report it appears that the trial of the petitioner is already going on and out of 8 witnesses, 6 PWs. including the Medical Officer has already been examined. The learned trial court has further reported that the trial of the petitioner is likely to be concluded within a period of three months.

In view of the aforesaid report of the learned trial court and in view of the fact that the trial of the petitioner is already going on, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of bail at this stage.

Accordingly, the prayer for bail made on behalf of the petitioner in connection with Sessions Trial No. 81 of 2015/51 of 2015 arising out of Musrigharari P.S.Case No. 126 of 2014 pending in the court of learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST Act), Samastipur is rejected once again and the learned trial court is directed to conclude the trial of the petitioner expeditiously preferably within a period of three months from the date of receipt/production of a copy of this order.

(Birendra Prasad Verma, J)

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