

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43552 of 2016

Arising Out of PS.Case No. -119 Year- 2012 Thana -KHARAGPUR District- MUNGER

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Birbal Murmur @ Panchu Murmur @ Panchu Da Son of Late Fagu Murmur
resident of village - Matiya Kore, P.S. Belhar, District - Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 16-12-2016 Heard both sides.

The petitioner seeks bail in Kharagpur P.S. Case No. 119/2012, registered for the offences punishable under Sections 121, 121A, 122, 120B of the Indian Penal Code, Sections 3, 4 and 5 of the Explosive Substance Act, Section 17 of C.L.A. Act and Sections 38, 39, 40 of U.A.P. Act.

The prayer for bail of the petitioner was twice rejected by this court. The petitioner made third attempt on the ground that trial has not yet been concluded and the petitioner is in jail for more than two years. A report was called for and it appears that Kharagpur P.S. Case 119/2012 was lying in the vacant court. It appears that case was transferred in the court of learned Additional District & Sessions Judge 3rd, Munger on 04.01.2016 and



thereafter four witnesses have already been examined.

Considering the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day-to-day basis and conclude the same within six months from the date of receipt of this order. The Superintendent of Police, Munger is directed to ensure the attendance of all the non-examined prosecution witnesses of Kharagpur P.S. Case No. 119/12 corresponding to Sessions Trial No. 778/14 pending in the court of Additional District & Sessions Judge, 3rd, Munger, so that the trial must be concluded within six months.

Let a copy of this order be sent to the Superintendent of Police Munger and learned trial court for information and needful. If the trial is not concluded within six months, the petitioner, if so, advised may renew prayer for bail.

(Prabhat Kumar Jha, J.)

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