

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19815 of 2014

Arising Out of PS.Case No. -237 Year- 2012 Thana -SIKANDARA District- JAMUI

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Shankar Yadav Son of Late Tileshwar Yadav Resident of Village-
Acharyadih, P.S. Sikandra, District-Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

10/ 16-11-2016

Heard learned counsels for the petitioner and
the State.

The petitioner has renewed the prayer for
bail in a case registered for the offences punishable under Sections
147, 148, 149, 323, 324, 342 and 302 of the Indian Penal Code.

The petitioner alleged to have assaulted the
father of the informant with sword who succumbed to the injuries.

It is submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since
18.01.2013. The informant is not the eye witness to the occurrence
as he only saw the petitioner fleeing away from the place of
occurrence. During trial the informant has not supported the
accusation as eye witness.



The last report of the Superintendent of Police, Jamui dated 21.10.2015 at Flag 'B' reflects that five witnesses have already been examined when 6th witness has been partially examined and five witnesses are left to be examined. The matter was adjourned on the request of learned counsel for the State on 31.08.2016 and 14.09.2016 to seek instruction with regard to the present stage of the trial but it is submitted by learned counsel for the State that he has not received any instruction.

Learned counsel for the petitioner seeks permission to withdraw the application with a prayer for a direction to conclude the trial expeditiously.

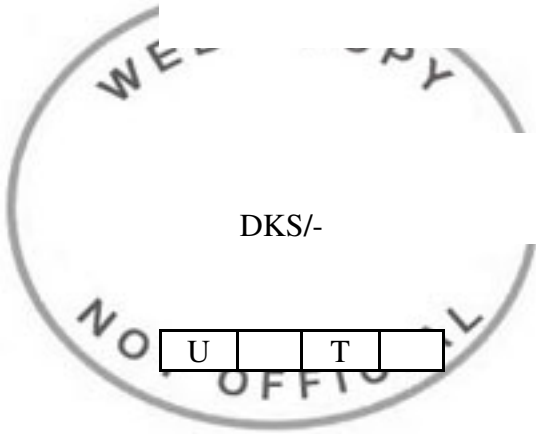
In view of the nature of accusation and the prayer made by learned counsel for the petitioner, this application is dismissed as withdrawn. Let the learned trial court conclude the trial of Sessions Trial No. 602 of 2013 arising out of Sikandra P.S. Case No. 237 of 2012 expeditiously within a period of four months.

Accordingly, this application is disposed of.

It is expected from the S.P., Jamui to produce the witnesses forthwith if they are still left to be examined.

Let this order be transmitted to learned Ad

hoc Additional Sessions Judge-IV, Jamui and Superintendent of
Police, Jamui.



(Dinesh Kumar Singh, J)