

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10112 of 2016

Arising Out of PS.Case No. -370 Year- 2013 Thana -BIHTA District- PATNA

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1. Muku Rai @ Muku Kumar Son of Anil Rai Resident of Village -Rewa Mahgu Tola P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. R.N.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his prayer for bail in connection with Sessions Trial No. 1396 of 2013 arising out of Bihta P.S.Case No. 370 of 2013 registered under Section 302 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier rejected by this Court, vide order dated 27.11.2014, passed in Cr. Misc. No. 42728 of 2014.

It has been contended by the learned counsel for the petitioner that though the petitioner is in custody from 20.12.2013, there is no progress in the trial. Charges were framed on 16.12.2014 i.e. more than a year ago, but not a single witness has

been examined in this case.

Be that as it may, regard being had to the nature of the offence, I am not inclined to review my earlier order at this stage. Accordingly, the prayer for bail is rejected.

Since the petitioner is in custody, the learned 7th Additional Sessions Judge, Danapur, Patna is directed to take all possible steps to conclude the trial expeditiously. In case the prosecution fails to examine its witnesses within nine months, the petitioner would be at liberty to renew his prayer for bail before the trial court itself.

Let a copy of the order be sent to the District Magistrate, Patna and the Superintendent of Police, (Rural) Patna for necessary action in the matter.

(Ashwani Kumar Singh, J)

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