

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8337 of 2016

Arising Out of PS.Case No. -44 Year- 2014 Thana -GOGRI District- KHAGARIA

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1. Seman Kumar Singh, S/O Thakur Singh, Resident of Village- Maira,
P.S.- Gogari (O.P. Poura), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Surendra Kr.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 18-05-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 26.06.2014 in a case in which charge against the petitioner was framed under Sections 304B/34 and 302/34 of the Indian Penal Code on 31.03.2015 but even after lapse of one year, the prosecution could examine only six witnesses out of twelve proposed witnesses.

Learned counsel for the petitioner points out that all the aforesaid six prosecution witnesses have not supported the prosecution case and they stated that deceased consumed tablets in frustration.

The informant of the present case is still to be examined and the trial of the petitioner has already commenced

and, therefore, I am not inclined to release the petitioner on bail, at least, at this stage and hence, his prayer for bail in connection with Sessions Trial No. 30 of 2015 arising out of Gogri P.S. Case No. 44 of 2014 pending in the court of learned Additional Sessions Judge-III, Khagaria stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably within six months from the date of receipt/production of copy of this order and if the trial of the petitioner is not concluded within the above sated period of six months on account of laches of the prosecution, the petitioner may renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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