

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15309 of 2016

Arising Out of PS.Case No. -287 Year- 2012 Thana -GAYA KOTWALI District- GAYA

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1. Navin Kumar Sinha son of Madan Prasad Srivastava Resident of Mohalla
- Rang Bahadur Road, P.S. - Kotwali, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain

For the Opposite Party/s : Mr. Raj Kishor Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 21-12-2016 Heard both sides.

The petitioner seeks bail in Kotwali P.S. case No.
287 of 2012, corresponding to Sessions Trial No. 36 of 2016,
under Section 304B of the Indian Penal Code.

The prayer of petitioner for bail was earlier rejected
by this court vide order dated 12.08.2015 passed in Cr. Misc. No.
24721 of 2015.

The learned counsel for the petitioner submits that
this is a case of no evidence. The police did not find any material
against the petitioner. The petitioner moved for anticipatory bail in
Cr. Misc. No. 31118 of 2013 and thereafter the petitioner was
arrested and the police hurriedly submitted charge sheet.

It appears that prayer of petitioner for bail was



rejected on merit.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

It appears that by order dated 26.10.2016 passed in the present case the learned trial court has been directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of the order. The trial court has reported that one of the accused was not appearing in the case. The accused appeared on 22.09.2016 and charges were framed on 23.09.2016 and the case is running on day to day basis for evidence but the prosecution has not produced any witness.

The trial court is directed to hold the trial on day to day basis.

The Senior Superintendent of Police, Gaya is directed to ensure the presence of all the prosecution witnesses of Kotwali P.S. case No. 287 of 2012, corresponding to Sessions Trial No. 36 of 2016, in the court of learned 1st Additional Sessions Judge, Gaya so that the trial must be concluded within six months from 26.10.2016.

If the Senior Superintendent of Police, Gaya fails to produce any witness on any date, the learned trial court shall report the matter to this court for necessary action.



Let a copy of this order be sent to the learned trial court as well as Senior Superintendent of Police, Gaya for information and needful.

If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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