

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28916 of 2015

Arising Out of PS.Case No. -80 Year- 2013 Thana -NAUBATPUR District- PATNA

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Sanjay Rai Son of Sri Baiju Rai, Resident of village- Narendra Rampur, P.S.-
Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bindeshwar Prasad Singh & Mr. Rudra Deo, Advocates.
For the State	:	Mr. Pranav Kumar, A.P.P.
For the Informant	:	Mr. Rajendra Kishore Prasad & Mr. Rohit Kishore Prasad, Advocates.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 02-09-2016

Nobody appears on behalf of the petitioner. Learned
A.P.P. for the State and learned counsel for the informant are present
and have assisted the Court.

The petitioner seeks bail in Naubatpur P.S. Case No.
80 of 2013 instituted under Sections 341/323/324/307/447/34 of the
Indian Penal Code to which lateron Section 302 of the Indian Penal
Code was added.

This is the second attempt of the petitioner for bail as
earlier such prayer was rejected by order dated 20.06.2014 in Cr.
Misc. No. 9082 of 2014. However, the Court below was directed to
expedite the trial and conclude the same within six months.



In view of the earlier direction to conclude the trial within six months, a report was called from the Court below. The same has been received from the Additional District and Sessions Judge, III (Successor), Danapur dated 17.05.2016 in which reasons have been given for the delay. The Court is not satisfied with such report as it appears to this Court that the trial Court has not sufficiently made efforts to ensure that the trial is concluded without delay as already the time granted earlier has lapsed far back.

However, in view of the submission of learned counsel for the informant that the witnesses who have been examined have stated that it was the petitioner who had inflicted the blow which has resulted in death, the Court is not persuaded to grant bail to the petitioner.

Accordingly, the application stands dismissed.

The Court below is directed to ensure that all prosecution witnesses are examined latest by 30th November, 2016 positively, failing which this Court may take a very strict view in the matter. The Senior Superintendent of Police, Patna shall also ensure that the remaining prosecution witnesses are produced before the Court on the dates fixed. The Court shall also ensure that the matter is taken up either on a day to day basis or short dates are fixed in the case.

Registry shall communicate the order to the Court below as well as the Senior Superintendent of Police, Patna through Fax also latest by 5th September, 2016.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	