

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23899 of 2016

Arising Out of PS.Case No. -67 Year- 2012 Thana -ASAWAN District- SIWAN

=====

Gupteshwar Bharti, son of Late Chandrama Bharti, resident of village-
Panchveniyan, P.S.- Asawan, District- Siwan (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Amit Kumar Rakesh, Advocate.

For the Opposite Party : Mr. Harendra Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 16.12.2012
in connection with Sessions Trial No. 116 of 2013, arising out of
Asawan P.S. Case No. 67 of 2012 for the offences instituted
under Sections 302 and 201/34 of the IPC.

It is alleged by the informant that his son went to attend
the Dwarpuja on the door of this petitioner but he has not returned
till 10.00 P.M. Some boys were present. After 10.00 P.M. his son
has absconded. After then, information has been given by the
informant to the police. After one day, the informant has received
mobile phone that his son is in danger position, please save him.
After one day near about 2.30 A.M. the informant has received a

phone that dead body of the deceased lie on the bank of river. After then that dead body of the deceased has been recovered from the bank of the river by the officer-in-charge, Asawan and after post mortem, dead body of the deceased has been handed over to the informant.

Earlier bail applications of the petitioner were rejected vide Cr. Misc. Nos. 16139 of 2013 and 21214 of 2014. This is third attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the stage of the case. The same is at Flag-‘B’. It has been reported that only Investigating Officer is to be examined.

Considering the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 116 of 2013, arising out of Asawan P.S. Case No. 67 of 2012, pending in the court of the learned Ad hoc Additional Sessions Judge, Siwan. The court below is directed to take all necessary steps to conclude the trial preferably within a period of four months from the date of receipt/production of copy of the order.

The District Magistrate, Siwan and the Superintendent of Police, Siwan are also directed to take all necessary steps to produce the Investigating Officer on the date fixed by the court below so that the trial could be concluded within the stipulated

period.

Let a copy of this order be communicated to the District Magistrate, Siwan and the Superintendent of Police, Siwan.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)