

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11441 of 2015

Arising Out of PS.Case No. -648 Year- 2012 Thana -NAWADA District- NAWADA

Navin Singh, son of Late Baleshwar Singh, resident of village- Chainpura, P.S. Warisaliganj, in the District of Nawada.

.... .. Petitioner/s

Versus

The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Adv.
Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 12-04-2016

Heard learned counsel for the parties.

The petitioner seeks bail in Nawada Town P.S.

Case No. 648 of 2012 dated 15.12.2012 instituted for offence punishable under Sections 363/365/364A/120B of the Indian Penal Code.

Nothing has been brought to the notice of the Court by way of intervening circumstances so as to justify reconsideration of the prayer for bail after the earlier rejection on 16.07.2014 and thus the application stands dismissed.

However, earlier while rejecting the prayer for bail, the Court had directed to expedite the trial and conclude the same within six months. The same not having been done, the Court had called for a report by order dated 24.02.2016.

Pursuant to the same, under Letter No. 81/16

dated 05.03.2016, the Additional Sessions Judge, 1st, Nawada has submitted a report explaining the causes of delay where it has been stated that due to lack of cooperation of the accused, the trial was not proceeding. As the petitioner is in custody, it is obvious that it is not on account of laches on his part. Learned counsel for the petitioner has also submitted that even charges have not been framed.

In view of the aforesaid, the Court below is directed to bifurcate the trial as far as the petitioner is concerned and then proceed to dispose off the same within six months positively. It is made clear that the Court shall use all power available to it under the law to ensure compliance of the order strictly. The Superintendent of Police, Nawada is also directed to ensure that the prosecution witnesses are produced before the Court on the dates so fixed in the case.

Registry shall communicate the order to the Court below as well as the Superintendent of Police, Nawada through Fax also latest by tomorrow.

(Ahsanuddin Amanullah, J.)

P. Kumar

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