

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36437 of 2016

Arising Out of PS.Case No. -170 Year- 2013 Thana -NAUGACHIA District- BHAGALPUR

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S.P. Singh @ Suraj Kumar Singh @ Suraj Singh, Son of Niranjana Singh,
resident of Village- Hajarpur Tola Sripur, P.S.- Naugachia, District-
Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 19-10-2016

Heard Sri Kamlesh Kumar Pathak, learned counsel

for the petitioner and learned Addl. Public Prosecutor.

This is the third attempt for grant of bail on behalf of the petitioner. Earlier, the prayer for bail of the petitioner was rejected. Lastly, the prayer for bail of the petitioner was rejected on 04.11.2015 vide Cr.Misc.No.46178 of 2015 primarily on the ground that trial had already commenced.

The petitioner is in custody in Naugachia P.S. Case No.170/2013, corresponding to S.Tr. No.786/2014, registered for the offence under Sections 302, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

In this case, by order dated 24.08.2016, a report from the court below was called for regarding stage of the case,

which has been received and kept at Flag-A. The report dated 6th September, 2016 indicates that out of nine chargesheeted witnesses, six witnesses have already been examined and NBW has been issued for securing attendance of the Investigating Officer. The doctor has also not been examined.

Accordingly, there is no reason to review my earlier order. The prayer for bail of the petitioner stands again rejected. While dismissing the present petition, it is desirable to direct the Superintendent of Police of the concerned district to ensure production of witnesses, as and when required by the trial court, so that the trial may come to its logical end without unnecessary delay.

Let a copy of this order be sent to the concerned Superintendent of Police.

(Rakesh Kumar, J)

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