

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45633 of 2016**

Arising Out of PS.Case No. -91 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

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Sharawan Sah, son of Sri Suresh Sah, resident of Village- Kumbhi, P.S.  
Cheriya Bariyarpur, District- Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

3      16-11-2016                      Heard Sri N.K. Agrawal, learned senior counsel assisted  
  
by Sri Vijay Anand, learned counsel for the petitioner and learned  
Additional Public Prosecutor .

This is second attempt for grant of bail in Sessions Trial  
No. 586 of 2015 (arising out of Bibhutipur P.S. Case No. 91 of  
2015) registered for the offence under section 364(A) of the  
Indian Penal Code.

It was submitted by learned counsel for the petitioner  
that during trial the victim who was kidnapped has already been  
examined on behalf of the prosecution but he has not indicated  
anything against the petitioner. He further submits that other  
witnesses have not supported the prosecution case.

The Court is of the opinion that examination of

evidence which has been brought on record during trial can well be done by the trial court at appropriate stage. Since evidence is going on, there is no point for reviewing my earlier order.

Learned counsel for the petitioner accepts that till date out of nine witnesses seven witnesses have already been examined

The prayer for bail again stands rejected.

Keeping in view the fact that now only two witnesses are required to be examined, while dismissing it is desirable to direct the court below to take steps for expeditious disposal of the trial. It is further directed that the concerned Superintendent of Police will ensure production of remaining witnesses as and when required by the trial court.

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

**(Rakesh Kumar, J)**

Praful/-

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