

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41199 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -DORIGANJ District- SARAN

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1. MITHU KUMAR RAI @MITHUN KUMAR RAI Son of Ram Lagan Rai, Resident of village- Singahi, P.S.- Doriganj, District- Saran at Chapra (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 07-12-2016

Heard.

Petitioner happens to be husband of the deceased and his prayer for bail was earlier rejected. This second bail petition has been filed on behalf of petitioner on the ground that the petitioner is in jail custody for more than one and a half years but uptill now, his trial could not be concluded.

The trial court has reported that charge against the petitioner was framed on 01-12-2015 and five prosecution witnesses including the I.O., have already been examined. The trial court has not disclosed as to how many witnesses have been left to be examined. Moreover, taking note of this fact that trial of the petitioner is going on in full swing, again I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in



connection with Doriganj P.S. Case No. 45 of 2015 corresponding to Sessions Trial No. 633 of 2015 stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within three months from the date of receipt/production of copy of this order.

It is made clear that if, trial court fails to conclude the trial of the petitioner within the above-said period due to non-cooperation and laches on the part of the prosecution, the petitioner may renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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