

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40314 of 2016

Arising Out of PS.Case No. -407 Year- 2014 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Tuntun Paswan S/o Late Mahesh Paswan Resident of village- Laxmipur,
P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04 12.04.2017 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Learned Addl. Sessions Judge II, Vaishali at Hajipur vide
letter no. 75/2017 dated 24.3.2017 has reported that in spite of
issuance of warrant against prosecution witnesses, witnesses did not
appear before him to depose in Session trial no. 453/2016. He has also
reported that the concerned Addl. Public Prosecutor has already sent
requisition to Superintendent of Police, Vaishali for production of the
witnesses but all went in vain.

In the aforesaid facts and circumstances as well as
submissions of the parties, I am not inclined to release the petitioner
on bail and hence, his prayer for bail in connection with Session trial
no. 453/2016 arising out of Mahua P.S. Case no. 407/2014 is, again,
rejected.

However, Superintendent of Police, Vaishali at Hajipur is,



hereby, directed to ensure the presence of remaining prosecution witnesses of Session trial no. 453/2016 arising out of Mahua P.S. Case no. 407/2014 pending in the court of Addl. Sessions Judge II, Vaishali at Hajipur/ concerned court within two months from the date of receipt/production of a copy of this order, failing which matter shall be viewed seriously.

Let a copy of this order be sent to Superintendent of Police, Vaishali at Hajipur for needful.

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(Hemant Kumar Srivastava,J)

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