

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10194 of 2016

Arising Out of PS.Case No. -30 Year- 2013 Thana -RAIL District- LAKHISARAI

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1. RAMASHRAY SAW @ RAMASHRAY SAH@ RAMASHRAY SINGH Son of Late Banarsi saw, Resident of Village - Etoun, P.O. - Manmohanpur, P.S. - Chanan, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-08-2016 Heard both sides.

The petitioner seeks bail in GRP Jamalpur P.S. case No. 30 of 2013 under Section 25 (1) ab (11.aa) (1b) e/26/35 of the Arms Act.

The prayer of petitioner for bail was earlier rejected by this court vide order dated 09.02.2015 passed in Cr. Misc. No. 1538 of 2015 with a direction to the trial court to conclude the trial within nine months from the date of receipt/ production of a copy of the order.

Sri Ajay Kumar Thakur, the learned counsel for the petitioner, submits that the trial has not yet been concluded only three witnesses have been examined although more than one and

half years has elapsed.

A report was called from the trial court and the learned 3rd Additional Sessions Judge, Lakhisarai has reported that three witnesses have already been examined and the trial is likely to be concluded within two months.

Considering the fact that the trial is likely to be concluded within two months, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected with a direction to the trial court to conclude the trial, positively, within two months.

The Superintendent of Police, Lakhisarai as well the concerned Superintendent of Railway Police are directed to ensure the attendance of prosecution witnesses of GRP Jamalpur P.S. case No. 30 of 2013 corresponding to Sessions Trial No. 34 of 2014 in the court of learned 3rd Additional Sessions Judge, Lakhisarai so that the trial must be concluded within two months.

If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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