

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35817 of 2016

Arising Out of PS.Case No. -426 Year- 2014 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Sunil Baheliya, son of Ram Sakal Baheliya, resident of Mohalla- Sagar,
P.O.Sasaram, P.S. Town Sasaram, Distrct- Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 31-08-2016

Heard Sri Sanjay Kumar @ Manu, learned counsel

for the petitioner and learned A.P.P.

This is the third attempt for grant of bail to the petitioner. Earlier twice the prayer for bail of the petitioner was rejected. Lastly on 10.11.2015, while rejecting the prayer for bail vide Cr.Misc.No.50795 of 2015, this Court had observed that the learned trial court may proceed with the case, so that trial may come to its logical end without unnecessary delay.

At the very outset, learned counsel for the petitioner submits that out of 11 prosecution witnesses, 8 prosecution witnesses have already been examined. He tried to persuade the Court that P.W.3, who is an independent witness, has not supported the case. Similarly, the informant was examined as

P.W.8, who had stated that he had not seen the occurrence. He further submits that the petitioner is very poor person, which has come in the statement of the informant itself.

The Court is of the opinion that since trial is going on, it is not appropriate to examine the evidence by this Court at this stage. It is required to be looked into for the first time by the trial court. Since the trial is going on and out of 11 prosecution witnesses, 8 witnesses have already been examined, there is no reason to recall/review my earlier order.

The prayer for bail stands again rejected.

The trial court is required to proceed with the case expeditiously, so that trial may come to its logical end without unnecessary delay.

(Rakesh Kumar, J)

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