

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29296 of 2016

Arising Out of PS.Case No. -208 Year- 2015 Thana -PAROO District- MUZAFFARPUR

Pintu Kumar Singh @ Pintu Singh @ Puttu Singh, Son of Ashok Kumar Singh @ Munna Kuwar, resident of Village- Dilawarpur, P.S- Kesariya, District- East Champaran, at present village- Kuwarpur, P.S- Kalyanpur, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Satish Chandra Jha-3, Advocate.
For the Opposite Party : Smt. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 23.08.2015 in connection with Paroo P.S. Case No. 208 of 2015 for the offences instituted under Section 394 of the IPC.

The prosecution story, in brief, is that while the informant was returning his home after transaction of money from Ram Babu of Village-Chhapra, four culprits surrounded him and one of them assaulted him with the but of pistol on his head and one culprit bite in his left hand as a result of which he sustained injury. He was admitted in hospital with the help of local people.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 23.08.2015 and the charge has been framed in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He is not named in the F.I.R. He has not been put on T.I. Parade. There is no recovery of any looted article from possession of the petitioner.

On behalf of the State, it has been submitted that as it is apparent from the case diary that the petitioner was immediately arrested after the alleged occurrence.

In light of the order dated 25.07.2016 passed by the co-ordinate Bench of this Court, a report was called for from the court below. A report has been submitted by the court below indicating that the charges have been framed. It was further directed by the said Bench to the court below to conduct the trial on day to day basis and a similar direction was made to the Superintendent of Police, Muzaffarpur.

Considering the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Paroo P.S. Case No. 208 of 2015, pending in the court of the learned J.M. Ist Class, Muzaffarpur.

The court below is directed to take all necessary steps to conduct the trial on day to day basis in pursuance to the order dated 25.07.2016 and conclude the same preferably within a

period of six months from the date of receipt/production of copy of the order.

The District Magistrate, Muzaffarpur and the Senior Superintendent of Police, Muzaffarpur, are also directed to take all necessary steps to produce the prosecution witnesses on the date fixed by the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Muzaffarpur and the Senior Superintendent of Police, Muzaffarpur.

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(Sudhir Singh, J)