

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12967 of 2016

Arising Out of PS.Case No. -328 Year- 2014 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Parvej Alam S/o Akhtar Alam @ Akhtar Ali resident of village -
Ratammala, P.S. Bagaha, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is said to have given Farsa blow causing
grievous injury to the informant and, admittedly, petitioner had
earlier come before this Court seeking pre- arrest bail, which was
rejected vide order dated 08.01.2015 passed in Cr. Misc. No.
52191 of 2014 but despite of rejection of anticipatory bail of the
petitioner, he did not surrender before the court below and,
subsequently, he could be arrested by the police and remanded in
this case on 08.02.2016.

Learned counsel appearing for the informant points out
that petitioner has suppressed his antecedents as only one case

against him has been shown in Para-3 of the petition, whereas petitioner is accused in nine cases.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind the conduct of the petitioner, I am not inclined to release the petitioner on bail and, hence, his prayer for bail in connection with Bagaha P.S.Case No.328 of 2014 pending in the court of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran stands rejected, at least, at this stage.

Since the learned counsel for the informant is present before this Court for opposing the prayer for bail of the petitioner, this Court expects and hopes that the informant shall conclude his evidence and shall produce his witnesses before the trial court within a month from today and after that, the learned trial court shall conclude the trial of the petitioner within two months from the date of closer of prosecution evidence. It is made clear that if the prosecution fails to conclude his evidence due to non co-operation of the petitioner and other accused, the prosecution as well as learned court below shall be at liberty to take some more time for conclusion of the trial of the petitioner.

However, it is made clear that if the trial of the petitioner is not concluded within the above stated period, due to

latches of the prosecution the petitioner may renew his prayer for bail before the trial court and in that circumstance, the trial court shall pass appropriate order on the prayer for bail of the petitioner.

(Hemant Kumar Srivastava, J)

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