

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37258 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -SURSAND District- SITAMARHI

- =====
1. Md. Wahid Rain son of Abdul Rahman
 2. Md. Hakkami @ Md. Hakkami Rain @ Md. Hakkami Rai son of Md. Wahid Rain, Both R/o village- Dhanahari, P.S.- Sursand District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.19931 of 2016

Arising Out of PS.Case No. -64 Year- 2015 Thana -SURSAND District- SITAMARHI

- =====
1. Md. Wahid Rain S/o Late Abdul Rahman Rain
 2. Md. Hakkani Rain @ Md. Hakkani @ Md. Hakkami Rain @ Md. Hakkami @ Md. Hakkami S/o Md. Wahid Rain Both resident of village - Dhanari, P.S. Sursand, District - Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.37258 of 2015)

For the Petitioners : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party : Mr. Nitya Nand Tiwary, APP

(In Cr.Misc. No.19931 of 2016)

For the Petitioners : Mr. Anita Kumari, Advocate

For the Opposite Party : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 29-06-2016 Heard the learned counsel for the petitioners and learned

counsel for the State.

The petitioners are in custody since 30.06.2015 in a case

instituted under Section 302 and 120B/34 of the IPC in

connection with **Sursand P.S.Case No.64 of 2015** pending in the Court of **SDJM, Pupri, Sitamarhi**.

Both the matters are taken up together.

The trial court vide memo no.33 of 2016 dated 28.04.2016 has submitted a report in Cr.Misc.No.37258 of 2015. As per the said letter of the trial court, it is evident that charge has been framed on 20.04.2016 and process has been issued against the prosecution witnesses. It is stated that the trial of the case will be concluded within six months.

Learned counsel for the Informant has submitted that already two prosecution witnesses have already examined.

Considering the aforesaid facts and circumstances, the further period of six months is granted to the trial court to conclude. The trial shall be conducted on day to day basis and the prosecution will ensure that the prosecution witnesses are present on the date fixed by the trial court.

If the trial is not concluded within a period of six months, the petitioner will be at liberty to prefer his bail application, if so advised.

As far as Cr.Misc.No.19931 of 2016 is concerned, the petitioner seeks permission to withdraw the same in the light of the observations and directions made in respect to

Cr.Misc.No.37258 of 2015, the same is dismissed as withdrawn.

(Sudhir Singh, J)

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