

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30580 of 2016

Arising Out of PS.Case No. -57 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

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1. SUNIL KUMAR MANDAL @ BHADO MANDAL @ SUNIL MANDAL son of Sri Suresh Mandal resident of Village- Chhoti Mohanpur, P.S. Ekchari, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 17-08-2016

Heard.

Prayer for bail of the petitioner was earlier rejected by this Court vide order dated 27.10.2015 passed in Cr. Misc. No.29881 of 2015 but submission on behalf of the petitioner is that the charge against the petitioner was framed on 02.06.2015 and up till now, only four prosecution witnesses could be examined. It is further submitted that the aforesaid prosecution witnesses have not supported the prosecution case. It is also submitted that petitioner is in jail custody since 23.03.2014.

The impugned order goes to show that the informant as well as other material witnesses have not been examined as yet and to procure the attendance of the aforesaid remaining

prosecution witnesses, the trial court has issued processes against them.

Considering the aforesaid facts and circumstances as well as ground taken by me in my previous order dated 27.10.2015 passed in Cr. Misc. No.29881 of 2015, again I am not inclined to release the petitioner on bail and, accordingly, his prayer for bail in connection with Session trial no. 93 of 2015, arising out of Nathnagar P.S.Case No. 57 of 2014, pending in the court of 5th Additional Sessions Judge, Bhagalpur, stands rejected.

However, the trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within five months from the date of receipt/ production of a copy of this order, failing which petitioner shall be at liberty to renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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