

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43115 of 2016

Arising Out of PS.Case No. -3 Year- 2013 Thana -C.B.I CASE District- PATNA

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Arvind Pratap Kumar S/o Late Chandrabali Kumar Resident of Sri Krishna Nagar, Town-P.S. & District- East Champaran, Motihari, posted as Assistant Superintendent Post Offices, West Sub Division, Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar Through The Central Bureau of Investigation (CBI)

.... Opposite Party/s

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with

Criminal Miscellaneous No.62240 of 2017

Arising Out of PS.Case No. -3 Year- 2013 Thana -C.B.I CASE District- PATNA

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Arvind Pratap Kumar

.... Petitioner/s

Versus

The State of Bihar Through The Central Bureau of Investigation (C B I)

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.43115 of 2016)

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

For the Opposite Party/s : Mr. Bipin Kumar Sinha(SC,CBI)

(In Cr.Misc. No.62240 of 2017)

For the Petitioner/s : Mr. D.K.Sinha, Sr.Advocate with
Mr. Nishi Nath Ojha, Advocate

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC,CBI)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

14 20-12-2017

Both the matters are being taken up together as petitioner

in both the cases is same and he is in custody since 25.8.2016.

So far Cr.Misc.No. 43115 of 2016 is concerned, the same has been disposed of with a direction to the trial court to conclude the trial within a period of nine months. However, it appears that a request letter has been sent by the trial court for further time to



conclude the same as the trial could not be concluded within the specified period.

So far Cr.Misc.No. 62240 of 2017 is concerned, it has been submitted on behalf of petitioner that the period of observation has already expired and trial has not been concluded. It is further submitted that out of 21 witnesses only eight witnesses have been examined. It is further submitted that earlier he has moved the Hon'ble Apex Court in SLP. No. 6633 of 2017, which has been permitted to be withdrawn with liberty to the petitioner to renew his prayer before this Court itself. Further submission is that all other accused persons have been granted bail and petitioner is in custody for 18 months.

Learned counsel for the CBI has prayed for some time so that trial may be concluded within a reasonable period of time. Further submission is that petitioner is one of the accused in the present case.

In the facts and circumstances, at this stage, I am not inclined to grant bail to the petitioner.

However, as the petitioner is in custody for 18 months, learned trial court is allowed four months further time to conclude the trial on day to day basis. Learned counsel for CBI and learned counsel for the petitioner both are directed to co-operate in trial, so



that trial be concluded within the period specified.

However, if trial is not concluded within the said period, learned trial court shall release the petitioner on bail to its own satisfaction, if an application for bail is filed on behalf of petitioner.

Cr.Misc.No. 62240 of 2017 stands disposed of.

(Vinod Kumar Sinha, J)

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