

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1064 of 2017

Arising Out of PS.Case No. -67 Year- 2015 Thana -GAURICHAK District- PATNA

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1. Rahul Kumar S/o Sri Ram Bhuwan Singh Resident of Village- Lakhipur
Koli, P.S- Gaurichak, P.S.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 15-03-2017 Heard.

Petitioner happens to be the husband of the deceased and his prayer for bail was earlier rejected by this Court vide order dated 21.06.2016, passed in Criminal Miscellaneous No. 25473 of 2016 but grievance of the petitioner is that uptil now, trial of the petitioner is pending whereas he is in jail custody since 22.04.2015.

The report of Trial Court goes to show that charge against the petitioner was framed on 31.03.2016 but not a single prosecution witness could be examined, though bailable warrant was issued against the prosecution witnesses on 20.01.2017. The Trial Court has sought further nine months time to conclude the trial of the petitioner.



In view of the fact and circumstances, the prayer for bail of the petitioner in connection with Sessions Trial No. 881 of 2015 arising out of Gaurichak P.S. Case No. 67 of 2015, pending in the Court of Sessions Judge –VII, Patna City, Patna is again rejected.

However, Trial Court is directed to expedite the trial and try to conclude the same within a period of four months from the date of receipt/production of the copy of this order even by taking the trial of the petitioner on day to day basis.

Let a copy of this order be communicated to the Senior Superintendent of Police, Patna, with direction to him to ensure the presence of prosecution witnesses before the Trial Court without any delay.

It is also made clear that if the trial of the petitioner is not concluded within the above stated period, the petitioner shall be at liberty to renew his prayer for bail before the Trial Court itself.

(Hemant Kumar Srivastava, J)

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