

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11148 of 2017

Arising Out of PS.Case No. -97 Year- 2015 Thana -KADWA District- KATIHAR

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Md. Maruf, son of Late Wajid Ali @ Wajit Ali, resident of Village- Parveli,
P.S.- Kadwa, District- Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 147, 341, 323, 324, 307, 379, 447, 504, 506 and 302 of
the Indian Penal Code.

The allegation against the petitioner is of abusing the
informant and on the instigation of his father-in-law inflicted
sword blow on the head of the informant causing head injury.

Earlier the bail application of the petitioner was rejected
vide Annexure-1 to the present application taking into account that
the petitioner is the assailant of the deceased. The postmortem
report also corroborates the allegations made in the F.I.R.

A report was called for from the trial Court regarding



the stage of the case. It has been reported that out of 11 charge sheeted witnesses, two prosecution witnesses have already been examined and the trial is expected to be concluded within a period of 09 to 12 months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with S.T. No. 238 of 2016, arising out of Kadwa P.S. Case No. 97 of 2015, pending in the court of learned Sessions Judge, Katihar.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of this order.

The District Magistrate, Katihar and the Superintendent of Police, Katihar are directed to ensure that the remaining prosecution witnesses are produced in the court on the date fixed by the court below, so that the trial could be concluded within the stipulated period, as indicated by the court below.

Let a copy of this order be communicated to the District Magistrate, Katihar and the Superintendent of Police, Katihar.

(Sudhir Singh, J)

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