

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10494 of 2017

Arising Out of PS.Case No. -36 Year- 2012 Thana -NAUTAN District- WEST CHAMPARAN
(BETTIAH)

=====

1. Mahendra Ram, Son of Chanar Ram @ Chandra Ram Resident of
Village-Jamunia Nawkatola, P.S.-Jagdishpur, District-West Champaran,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

8 15-05-2017 Heard both sides.

The petitioner seeks bail in Nautan (Jagdishpur) case
No. 36 of 2012 under Section 302 and other Sections of the Indian
Penal Code.

The learned counsel for the petitioner submits that
the prayer for bail of the petitioner was firstly rejected on
30.12.2012 passed in Cr. Misc. No. 35372 of 2012. Thereafter, the
petitioner moved for provisional bail and he was granted
provisional bail but the learned counsel appearing on behalf of the
petitioner without having proper instruction submitted wrong facts
that the petitioner was not released on provisional bail and the
petition was subsequently withdrawn. It is submitted that



petitioner is in jail since 02.03.2012. The charges were framed on 30.09.2015 but the trial has not yet been concluded.

Having considered the nature of allegation made against the petitioner and the fact that in pursuance of the confession made by the petitioner incriminating articles, showing the involvement of the petitioner in the murder of the deceased, were recovered, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to expedite the trial, hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

The Superintendent of Police, Bettiah is directed to ensure the attendance of non examined prosecution witnesses of Sessions Trial No. 444 of 2012 in the trial court so that the trial must be concluded within nine months.

Let a copy of this order be sent to learned trial court as well as Superintendent of Police, Bettiah for information and needful.

(Prabhat Kumar Jha, J)

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