

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18866 of 2017

Arising Out of PS.Case No. -404 Year- 1996 Thana -ATHMALGOLA District- PATNA

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1. Rambali Paswan Son of Late Bishuni Paswan, Resident of Village-
Sabnima, P.S. Athamalgola, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-05-2017 The petitioner seeks regular bail in connection with

Athamalgola (Barh) P.S. Case No. 404 of 1996, registered for

offences punishable under Section 341, 324, 307, 302/34 of the

Indian Penal Code.

From perusal of the record it appears, that earlier the
petitioner had moved before this Court for grant of regular bail
twice, which were rejected by this Court, details of which has been
given in paragraphs 12 and 13 of the bail application.

It has been submitted on behalf of the petitioner that
petitioner has been languishing in judicial custody for last five
years and upto now only five witnesses have been examined and
the case is pending for trial, which will appear from the impugned
order dated 07.12.2016 and there is no likelihood of trial going to
be concluded in near future and, therefore, prayed that petitioner
may be allowed the privilege of regular bail.

Heard learned A.P.P. also.



Having heard both sides, in view of the fact that earlier petitioner's application for grant of bail was twice rejected on merit and this time also no new facts has emerged warranting consideration of prayer for bail of the petitioner, as such, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected

However, since the petitioner has been in judicial custody for last five years and in this case five witnesses have been examined and thereafter remaining witnesses are not turning up, as such, Trial Court is directed to expedite the trial and try to conclude it as early as possible preferably within a period of seven months, even by conducting the trial on day to day basis.

At the same time, Senior Superintendent of Police, Patna is directed to ensure the production of witnesses in the trial court, on the date fixed, so that the trial of the petitioner can be concluded expeditiously.

Further learned Trial Court is also directed to submit a monthly report with regard to progress of trial of the petitioner.

Let a copy of this order be communicated to the Senior Superintendent of Police, Patna for its strict compliance.

(Vinod Kumar Sinha, J)

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