

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16131 of 2017

Arising Out of PS.Case No. -116 Year- 2012 Thana -SULTANGANG District- PATNA

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Md. Aslam @ Kalakwa @ Aslam @ Kanakwa @ Kalkawa Son of Late Karu Mian resident of New Azimabad (Dargah Qarbala) in the Rented house of Naga Burhia P.S. Sultanganj, District Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2017 This is an application for grant of bail for offences punishable under Section 302/34 of the Indian Penal Code and afterwards changed into Sections 396 and 412 of the Indian Penal Code and 27 of the Arms Act.

Petitioner had earlier moved before this Court and his prayer was rejected vide orders as mentioned in para-2 of the petition.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that he has remained in custody for more than 4 ½ years and up-till-now no witness has been examined in this case. There is no likelihood of conclusion of the trial in near future.

Heard learned A.P.P. also.



Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner, the same is rejected.

I have not gone into the details of the materials of the case. Petitioner has remained in custody for more than 4 ½ years and during this period only one witness has been examined and seven witnesses are to be examined in this case. As such, the trial court is directed to expedite the trial of the petitioner and conduct the same on day to day basis so that the trial may be concluded within a period of six months. The Superintendent of Police is directed to ensure attendance of the witnesses on the date fixed by the trial court and conclude the same within the time prescribed aforesaid. Both trial court and Superintendent of Police are also directed to ensure compliance of the order of this Court strictly.

Accordingly, this application stands disposed of.

(Vinod Kumar Sinha, J)

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