

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18718 of 2017

Arising Out of PS.Case No. -123 Year- 2013 Thana -SAHAR District- BHOJPUR

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Pramod Singh, son of Late Shankh Singh, resident of Village- Ekwari,
Police Station- Sahar in the district of Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Adv.

For the Informant : Mr. Prashant Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 21-06-2017 Heard Mr. Akhileshwar Prasad Singh learned counsel

for the petitioner Mr. Prashant Kumar learned counsel for the

informant and the learned A.P.P.

The petitioner seeks bail in Sahar P.S. Case No.
123/2013 corresponding to Sessions Trial No. 130/2016,
registered for the offences punishable under Sections 302, 307 and
other sections of the Indian Penal Code and section 27 of the Arms
Act.

Prayer for bail of the petitioner was earlier rejected
vide order dated 13.03.2015 with a direction to the Trial Court to
expedite the trial and conclude the same within one year and if the
trial is not concluded without the fault of the petitioner, the



petitioner may renew prayer for his bail.

Mr. Akhileshwar Prasad Singh learned counsel for the petitioner submits that trial has not yet been concluded and there is no fault on the part of the petitioner. A report was called for and the learned Additional District & Sessions Judge Ist, Ara, Bhojpur reported that the case was received in the court and charges were framed on 19.12.2016. Learned Trial Court has stated that six months more time is required to conclude the trial.

Considering the facts aforesaid and the fact that it was the petitioner who is alleged to have fired hitting in the abdomen of the father of the informant and the father of the informant died on the spot, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in jail for about more than three and half years, the trial court is directed to hold the trial on day-to-day basis and conclude the same within six months from the date of receipt/production of a copy of this order. Prosecution is also directed to bring all the witnesses.

The Superintendent of Police, Bhojpur (Ara) is directed to ensure the attendance of all the prosecution witnesses of Sahar P.S. Case No. 123/2013 corresponding to Sessions Trial No. 130/2016 pending in the court of Additional District & Sessions



Judge Ist, Ara (Bhojpur), so that the trial must be concluded within six months.

Let a copy of this order be sent to the Superintendent of Police, Ara, Bhojpur and learned trial court for information and needful. If the trial is not concluded within six months, the petitioner may renew prayer for bail.

(Prabhat Kumar Jha, J.)

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