

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27321 of 2017

Arising Out of PS.Case No. -74 Year- 2011 Thana -DHARHARA District- MUNGER

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Kajru Manjhi, Son of Late Jamun Manjhi, Resident of Village-
Dharampur, P.S.- Dharhara, District- Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 23-08-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 302 and other minor sections of
the Indian Penal Code and Section 13 of U.A.P. Act.

Earlier the prayer for bail of the petitioner was twice
rejected taking note of nature of allegation as well as his criminal
antecedent but the report of trial court reveals that up till now only
one prosecution witness could be examined whereas near about 16
prosecution witnesses are still to be examined. Petitioner is in jail
custody since 17.12.2014.

However, considering the aforesaid facts and
circumstances as well as submissions of the parties, I am not



inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 259 of 2016 arising out of Dharhara P.S. Case No. 74 of 2011 pending in the court of Additional Sessions Judge-II, Munger stands rejected.

Moreover, learned trial court should expedite the trial of the petitioner and try to conclude the same as early as possible preferably within six months from the date of receipt/production of copy of this order. It is made clear that if the trial court fails to conclude the trial of the petitioner within the above stated period due to laches of the prosecution, the petitioner may renew his prayer for bail before the learned trial court itself and in that event, the trial court shall consider the prayer of the petitioner on its own merit without being prejudiced by rejection orders of this court.

(Hemant Kumar Srivastava, J)

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