

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13415 of 2017

Arising Out of PS.Case No. -620 Year- 2013 Thana -DANAPUR District- PATNA

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Ranjeet @ Kalia, Son of Sri Jai Narayan Rai, R/ v Daldali Road, Danapur,
P.S.- Danapur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar Sinha, Advocate.

For the Opposite Party : Mr. Chandrasen Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 29-06-2017 Heard Mr. Vijay Kumar Sinha, learned counsel for the
petitioner and learned APP for the State.

Mr. Manu Maharaj, the S.S.P., Patna is present in Court in pursuance of the order dated 21.06.2017. The S.S.P., Patna was directed to appear in person because there was conflicting reports of S.S.P., Patna and learned 1st Additional Sessions Judge, Patna with regard to presence of prosecution witnesses on 10.04.2017. The report of S.S.P., Patna says that the witnesses were present on 10.04.2017 but on account of some unavoidable circumstances the evidence of the witnesses could not be recorded whereas the report of learned 1st Additional Sessions Judge, Patna contained in Letter No. 92 dated 22.05.2017, it transpired that no prosecution witness was present on 10.04.2017 and, therefore, no question arises for recording the evidence of the witnesses.



The S.S.P., Patna has submitted that the officer-in-charge of Danapur police station who was entrusted to produce the witnesses but he failed to produce the witnesses in time in pursuance of the order of the Court and submitted a false report on the basis of which he send the report to this Court. Mr. Manu Maharaj, the S.S.P., Patna after confronting with such conflicting reports undertook to take proper action in accordance with law against such erring officer-in-charge of Danapur police station who by false report tried to mislead this Court.

It is further submitted that now all the prosecution witnesses have been examined and the prosecution case is closed. The statement of the accused under Section 313 of the Code of Criminal Procedure has already been recorded.

Considering the facts aforesaid and the facts that the prosecution case has already been closed, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to conclude the argument if possible within two months from the date of receipt of this order.

(Prabhat Kumar Jha, J.)

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