

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36943 of 2017

Arising Out of PS. Case No.-173 Year-2014 Thana- BARAHIYA District- Lakhisarai

Shyam Singh @ Shyam Kumar @ Chote Lal Singh, Son of Awadhesh Singh,
resident of village- Khutahadih, P.S. -Barahiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Surendra Kumar Singh Sri Prabhat Kumar Singh
For the Opposite Party/s	:	Dr.Mrityunjaya Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 01-11-2017 Heard Sri Surendra Kumar Singh, learned counsel,
assisted by Sri Prabhat Kumar Singh, learned counsel for the
petitioner and Dr. Mrityunjay Kumar Gautam, learned
Additional Public Prosecutor.

This is third attempt for grant of bail on behalf of the
petitioner. Earlier, by order dated 11.04.2016 on examining
entire materials and considering the seriousness of the offence,
this court had rejected the prayer for bail of the petitioner vide
Cr. Misc. No. 7088 of 2016. Thereafter, one another bail
petition i.e. Cr. Misc. No. 45810 of 2016 was filed, which too
was dismissed on 07.12.2016. This time, by order dated
13.09.2017 a report was summoned from the court below
regarding stage of the case, which has been received and kept at



flag - “P”. The report dated 12th October, 2017 makes it clear that in this case charge has already been framed and summons as well as bailable warrant has been issued for securing attendance of witnesses.

Considering the fact that trial has already commenced after framing of charge and summons as well as bailable warrant has been issued for securing attendance of witnesses, there is no reason to review my earlier order. The prayer for bail again stands rejected.

While dismissing the petition, it is desirable to direct the concerned Superintendent of Police to ensure production of witnesses as and when required by the trial court. The trial court is also required to take appropriate steps, so that, the case may come to its logical end without unnecessary delay.

Let a copy of this order be sent to the concerned Superintendent of Police for its compliance.

(Rakesh Kumar, J)

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