

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59282 of 2017

Arising Out of PS.Case No. -85 Year- 1997 Thana -KHAGAUL District- PATNA

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Kakku Barhi @ Kakku Badhi, Son of Late Lagan Mistri, Resident of
Village/Mohallah- Sarari, P.S.- Shahpur, District- Patna (Bihar).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Smt. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 20-12-2017 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Sessions Trial No. 824 of
2016 arising out of Khagaul P.S. Case No. 85 of 1997
registered for the offence punishable under Sections
307/34 of the Indian Penal Code and Section 27 of the
Arms Act, pending in the Court of learned Additional
Sessions Judge – II, Danapur, Patna.

Report at Flag-‘X’ from the court of learned
Additional District and Sessions Judge – II, Danapur,
Patna dated 13.12.2017 states that steps have been taken
by issuing bailable warrant against non-official witnesses
and the case is fixed for evidence on 09.01.2018.



Considering the nature of the case particularly that the petitioner was absconding for 16 years before his arrest, I am not inclined to grant regular bail to the petitioner presently.

The trial court is directed to take up this case on day to day basis because it is almost twenty years old case and should be in priority for disposal.

The Senior Superintendent of Police, Patna is also directed to ensure that all the official witnesses to be produced in time and the warrant issued against the non-official witnesses should be executed well in time keeping in mind the right of an accused of a speedy trial, it is also an obligation of the State.

This application is dismissed with the above observations and directions.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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