

0IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44250 of 2017

Arising Out of PS.Case No. -59 Year- 2015 Thana -GWALPARA District- MADHEPURA

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1. Chano Mandal @ Chand Kishore Mandal Son of Ghuttar mandal, R/o Village- Ekaniya, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-11-2017 Heard the parties.

Earlier prayer for bail was rejected by this Court vide order dated 16.01.2017 passed in Cr.Misc. No.49191 of 2016 with direction to the trial court to expedite the trial.

Submission of the learned counsel for the petitioner is that he is in custody for about fifteen months and one similarly situated co-accused has already been enlarged on bail in Cri.Misc.No.30682/17 on 21.07.2017 and upto now case has not been committed to the court of Sessions.

Heard learned A.P.P. also who opposed the prayer for bail on the ground that he has criminal antecedent.

From perusal of the records it appears that the case has not been committed to the court of Sessions. However, other co-



accused are in Khagaria Jail.

In such view of the matter, at this stage I am not inclined to grant bail to the petitioner. However, learned court below is directed to commit the case to the court of Sessions and the District Magistrate, Madhepura and the S.P., Madhepura, are directed to see the production of the accused on the date fixed in the trial, so that the case may be committed to the court of Sessions. It is made clear that despite direction if the case is not committed and no progress has been made within a period of further four months, the trial court shall release the petitioner to his own satisfaction.

With this observation this application is disposed of.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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