

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31406 of 2016

Arising Out of PS.Case No. -424 Year- 2013 Thana -SONEPUR District- SARAN

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Jitendra Pandit, S/o Ram Jalam Pandit, Resident of Village- Dudhalia Krishi Farm, P.S.- Sonpur, Dist.- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 15-02-2017

Heard both sides.

The petitioner seeks bail in Session Trial No.520 of 2014, arising out of Sonpur P.S. Case No.424 of 2013, registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected vide order dated 19.05.2015 passed in Cr.Misc.No.9060 of 2013 with a direction to the trial court to expedite the trial and conclude the same within one year from the date of receipt or production of a copy of this order.

Learned counsel for the petitioner submits that more than one year has already lapsed, but the trial has not yet been concluded.

A report was called for from the learned Additional



District & Sessions Judge-IX, Saran, Chapra with regard to the stage of the trial. The report says that only Investigating Officer of the case is to be examined for which non-bailable warrant of arrest has also been issued.

Considering the fact that the trial is at its fag end, I am not inclined to enlarge the petitioner above named on bail at this stage. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day-to-day basis and conclude the same within two months from the date of receipt of this order.

The Superintendent of Police, Saran, Chapra is directed to ensure the attendance of the Investigating Officer of Sonpur P.S. Case No.424 of 2013 corresponding to Sessions Trial No.520 of 2014 pending in the court of learned Additional District & Sessions Judge, Saran, Chapra, so that the trial must be concluded within two months.

If the trial of the petitioner is not concluded within the aforesaid period of two months, the petitioner may renew his prayer for bail after three months from the date of receipt of this order.

Arvind/-

(Prabhat Kumar Jha, J)

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