

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50882 of 2016

Arising Out of PS.Case No. -143 Year- 2011 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. SHASHIBHUSAN KUMAR SINGH @ FAUJI SINGH @
SHASHIBHUSAN SINGH son of Suresh Prasad Singh Resident of Village
Pamahiya (Motipur), Police Station - Kathaiyan, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s Smt. Nirmala Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 22-03-2017

Heard both sides.

The petitioner seeks bail in Bettiah Town P.S. case
No. 143 of 2011, corresponding to Sessions Trial No. 160 of 2016,
under Section 302 and other Sections of the Indian Penal Code and
under Section 27 of the Arms Act.

The learned counsel for the petitioner submits that
prayer of petitioner for bail was earlier rejected by this court vide
order dated 11.09.2015 passed in Cr. Misc. No. 19047 of 2015
with a direction to the trial court to expedite the trial and conclude
the same within one year from the date of receipt of the order but
the trial has not yet been concluded. Even charges were not
framed against the petitioner. On such, a report was called for and
from perusal of the report, it transpired that petitioner was shifted
to Motihari jail from Bettiah jail and, therefore, he was not being



produced in court and charges could not be framed against the petitioner.

There is specific allegation that it was the petitioner who made indiscriminate firing in which Aalind Rai, brother of the informant, was killed.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

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

The Superintendent of jail, Motihari and Superintendent of jail, Bettiah are directed to produce the accused on each and every date in the court of learned Additional Sessions Judge-II, Bettiah.

The Superintendent of Police, Bettiah is directed to ensure the attendance of prosecution witnesses of Bettiah Town P.S. case No. 143 of 2011, corresponding to Sessions Trial No. 160 of 2016, in the court of learned 2nd Additional Sessions Judge, Bettiah so that the trial must be concluded within nine months.

(Prabhat Kumar Jha, J)

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