

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29166 of 2016

Arising Out of PS.Case No. -230 Year- 1998 Thana -KHAZANIHAT District- PURNIA

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1. Amarnath Deep @ Amar Yadav Son of late Shobhanath Yadav Resident
of Village- Maranga, P.O. Maranga, P.S K. Hat, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar Through The C.b.i, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Bipin Kumar Sinha(SC,CBI)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 25-01-2017

Heard.

It is shocking to see that the petitioner is languishing
in jail custody for more than 12 years and charge against him was
framed on 10-05-2006 but even after lapse of near about 10 years,
CBI could not conclude its evidence.

Earlier the petitioner approached this court for grant
of bail but, this court refused to release him on bail vide order
dated 09-12-2015 passed in Cr. Misc. No. 30273 of 2015.
However, at the time of passing of order dated 09-12-2015 in Cr.
Misc. No. 30273 of 2015, the learned counsel of CBI had
informed this court that only three prosecution witnesses have
been left to be examined and the aforesaid prosecution witnesses
would be examined within a very short span of time and, taking
note of the aforesaid submission of learned counsel of CBI, this
court directed the trial court to expedite the trial of the petitioner



on priority basis, even by taking his trial on day-to-day basis but learned trial court has reported vide letter No. 5 dated 02-01-2017 that uptill now, 31 prosecution witnesses have already been examined and the case is still pending for recording the evidence of prosecution witnesses.

Earlier, on merit, prayer for bail of the petitioner was rejected by the Apex Court vide order dated 13-10-2014 passed in Special Leave to Appeal (Cri) No. 5818 o 2014.

Therefore, in the aforesaid circumstance, on merit there is no scope for this court to extend the privilege of bail to the petitioner and therefore, taking note of the aforesaid facts and circumstances as well as submission of the parties, prayer for bail of the petitioner is, again rejected.

However, learned trial court is directed to expedite the trial of the petitioner in the manner, as directed by this court vide order dated 09-12-2015 passed in Cr. Misc. No. 30273 of 2015 and conclude the same as early as possible, preferably, within three months from the date of receipt/production of copy of this order. Any deviation from direction, given by this court shall be viewed seriously.

(Hemant Kumar Srivastava, J)

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