

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43979 of 2016

Arising Out of PS.Case No. -62 Year- 2011 Thana -MAJHAHGARH District- GOPALGANJ

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1. Lawkesh Singh @ Lokesh Singh @ Binod Singh Son of Late Harihar Singh Resident of village - Malikana Police Station - Manjhagarh, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binay Kumar Choubey

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-04-2017 The petitioner is in custody since 27.06.2011 in connection with Manjhagarh P.S. Case No. 62 of 2011, registered for offences punishable under Sections 341, 342, 324, 326, 307, 302 and 34 Indian Penal Code.

It has been submitted on behalf of the petitioner that this is the 4th time, petitioner has preferred this application for grant of regular bail as earlier on three occasions, his applications were rejected by Co-ordinate Benches of this Court. Further it has been submitted that petitioner has been languishing in judicial custody since 27.06.2011 but in this case upto now only four witnesses have been examined and the case is still pending for evidence, as such petitioner deserves the sympathetic view of this Court.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that earlier



also petitioner's application for bail was rejected on three occasions and this is the fourth time the petitioner has preferred this application, however, no new ground has been taken by learned counsel for the petitioner, as such, considering the facts and circumstances and the nature of allegation, this Court is also not inclined to grant petitioner, privilege of regular bail, it is accordingly rejected.

However, a submission has been made by learned counsel for the petitioner that the case is of year 2011 and upto now only 4 witnesses have been examined and the case is pending for evidence, which is some sort of stain on the entire judicial system, as such, the Trial Court is directed to conduct the trial on day to day basis and try to conclude the same within a period of six months from today. At the same time, Superintendent of Police, Gopalganj is directed to ensure the production of witnesses on each date, fixed by the Trial Court.

Further the Trial Court is also directed to send monthly report to this court with regard to progress of the trial.

It is made clear that any lapse on the part of the authorities concerned, will be viewed seriously.

(Vinod Kumar Sinha, J)

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