

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52521 of 2016

Arising Out of PS.Case No. -7 Year- 2004 Thana -MAKER District- SARAN

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1. Sunil Rai Son of Late Baban Rai Resident of Village - Fatehpur, P.S. - Parsa, District - Saran at Chapra (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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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 Maker P.S. case No. 7 of 2004, corresponding to Sessions Trial No. 206 of 2014, under Section 302 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

Sri Manoj Kumar, the learned counsel for the petitioner, submits that prayer of petitioner for bail was earlier rejected thrice by this court. Vide order dated 17.08.2016 passed in Cr. Misc. No. 10798 of 2016, when prayer of petitioner for bail was lastly rejected, direction was given to the trial court to conclude the trial within six months from the date of receipt of the order. It is submitted that even after lapse of more than six months, the trial has not yet been concluded.



A report was called for from the trial court and it appears from perusal of the report that all the prosecution witnesses have been examined and on 10.01.2017 statement of the accused persons under Section 313 of the Cr. P. C. was recorded. The case is fixed for the evidence of the accused but the accused did not produce any witness till date.

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

The trial court is further directed that if the defence does not want to produce witness then close the case of defence and dispose of the case as expeditiously as possible as the petitioner is in jail since 01.11.2010.

(Prabhat Kumar Jha, J)

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