

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1298 of 2017

Arising Out of PS.Case No. -192 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Md. Anwar, S/o Late Abdul Gaffar, Resident of village - Chkbahauddin,
P.S. Dalsingsarai, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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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 Dalsingsarai P.S. case
No. 192 of 2014, corresponding to Sessions Trial No. 366 of 2016,
under Section 302 and other Sections of the Indian Penal Code.

The informant herself alleged that petitioner called her
near cigarette factory and brutally assaulted her with knife. Later
on the informant succumbed to the injuries.

The learned counsel for the petitioner submits that
prayer of petitioner for bail was earlier rejected by this court vide
order dated 08.04.2015 passed in Cr. Misc. No. 11751 of 2015
with a direction to the trial court to conclude the trial within one
year but the trial has not yet been concluded.

From a perusal of the report, it appears that on



08.04.2015 the case was pending for commitment. The order dated 08.04.2015 was not produced before the committing court and ultimately the case was committed to the Court of Sessions only on 21.07.2016 and on the same day one witness was examined.

Considering the fact that it was the petitioner who stabbed the informant to death, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The 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/ production of a copy of this order.

The Superintendent of Police, Samastipur is directed to ensure the attendance of prosecution witnesses of Dalsingsarai P.S. case No. 192 of 2014, corresponding to Sessions Trial No. 366 of 2016, in the court of learned 3rd Additional Sessions Judge, Samastipur so that the trial must be concluded within nine months.

Let a copy of this order be sent to learned trial court as well as Superintendent of Police, Samastipur for information and needful.

(Prabhat Kumar Jha, J)

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