

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52933 of 2017

Arising Out of PS. Case No.-494 Year-2014 Thana- Sitamarhi District- Sitamarhi

Gagandeo Rai S/o Late Nathuni Rai, R/o Vill. - Bariarpur, Tole Lapati, P.S.
and District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur
		Mr. Sanjay Kumar
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 15-11-2017 Heard Sri Mahendra Thakur, learned counsel assisted by Sri Sanjay Kumar, learned counsel for the petitioner and Sri Sanjay Kumar Tiwary No. 1, learned Addl. Public Prosecutor.

This is the 2nd attempt for grant of bail on behalf of the petitioner. Earlier, the prayer for bail of this petitioner was rejected considering the fact that he was the main assailant, who gave *farsa* blow on the head of the father of the informant.

Learned counsel for the petitioner, by way of referring to **Annexure – 3** series to the petition, tried to persuade the Court that though evidence is going on, even after examination of seven witnesses including informant, none has supported the prosecution case and as such, he has prayed for grant of bail.

The Court is of the opinion that whatever evidence has



been brought on record, that can be looked into by the trial court and since trial is going on and earlier, petitioner's prayer for bail was rejected on the ground that he was main assailant, there is no reason to review my earlier order.

The prayer for bail again stands rejected.

However, considering the fact that petitioner is in custody since 2014 and trial is going on, while dismissing, it is desirable to observe that learned trial Judge as well as prosecution may take appropriate step so that the case may come to its logical end without unnecessary delay. The Court expects that concerned Superintendent of Police will take all steps for ensuring production of witnesses, as and when required by the trial court.

Let a copy of this order be sent to the concerned Superintendent of Police.

(Rakesh Kumar, J.)

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