

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34927 of 2017

Arising Out of PS.Case No. -741 Year- 2016 Thana -KATIHAR District- KATIHAR

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1. Deepak Jha @ Deepak Kumar @ Navnit Jha Son of Prasun Jha, R/o
Village- Bari Baghmara, P.S.- Manihari, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard the parties.

This application is for grant of regular bail in connection with Katihar Town P.S.Case No.741 of 2016 for the offences under Sections 364(A), 365, 302, 201, 120B/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping son of the informant and buried him alive in the field of the petitioner.

Submission of the learned counsel for the petitioner is that the said field does not belong to him and he is no way concerned with the field. Further submission is that except confession there is nothing against the petitioner and he is not named in F.I.R.. It has also been submitted that the petitioner is in custody since 2.3.2017.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail and submitted that the petitioner buried the son of the informant alive in the field.

Having heard both sides and in view of serious nature of the allegation, I am not inclined to grant bail to the petitioner at this stage, however, considering the fact that he is in custody for seven months, the learned court below is directed to expedite commitment of the case. At the same time, the District Judge, Katihar is also directed to see that the case is committed to the court of sessions, if possible even by separating the case of accused persons, who had appeared/custody. Once the case is committed to the court of sessions, the learned trial court shall conduct the trial on day to day basis or on regular basis so as to conclude it within a period of nine months.

The S.P., Katihar is also directed to ensure that the witnesses are produced in this case on regular basis, so that the trial may be concluded within the period as specified.

However, before parting with this order, it must observe that the copies of the case diary, which have been sent to this Court and duly authenticated by the Inspector of Police, are faint and not at all legible/readable. If such is affairs of state there



is no use of calling the case diary. The conduct of the police authority is highly deplorable and in future, if the same is repeated, police officials be ready to face the consequences.

With the aforesaid observation, this application is dismissed.

Let a copy of the order be sent to the Director General of Police, Bihar and the S.P., Katihar.

(Vinod Kumar Sinha, J)

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