

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2252 of 2017

Arising Out of PS.Case No. -2 Year- 2015 Thana -GOH District- AURANGABAD

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Surendra Paswan, son of Ramjeewan Paswan, Resident of Vill- Meerpur,
P.S.- Goh, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Goh P.S. Case 02 of 2015
instituted for the offence under Sections 304-B and 34 of the
Indian Penal Code.

The report was called for from the court below
wherein it is mentioned that three witnesses have been examined
and six witnesses are yet to be examined. The court below has
stated that it will take about one year to conclude the trial. The
petitioner is in custody since 8.9.2015.

This Court is unable to understand the casual
approach of the court below when it has stated that it will take
one year to examine the witnesses whereas the petitioner is
already in custody for about 1 ½ years.



In such circumstances, since the trial has begun and three witnesses have already been examined, the prayer for bail of the petitioner stands rejected at this stage.

The court below is directed to proceed in the trial on day-to-day basis and conclude the same within a period of six months and send a report to this Court. In the event the court below fails to conclude the trial within six months, it will send report to this Court with explanation as to why the trial has not been concluded within time.

In the event the Court will find the report unsatisfactory, necessary action will be taken against the trial court. The petitioner is given liberty to renew his prayer for bail after six months in the event the trial is not concluded within the aforesaid period.

Let this order be communicated to the District & Sessions Judge, Aurangabad, who will monitor the disposal of case himself, so that the order of this court is complied with.

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(Sanjay Priya, J)

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