

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1928 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

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Abu Obaid, Son of Md. Majid Hussain, Resident of Village- Sirsi, P.S.-
Khodawandpur, District- Begusarai.

.... Petitioner

Versus

The State of Bihar through the Department of Vigilance.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.I/C Vig.)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 01-03-2017 Heard Sri Satyavrat Verma, learned counsel for the
petitioner and Sri Ramakant Sharma, learned senior law officer,
Vigilance Department.

This is the 2nd attempt for grant of bail on behalf of
the petitioner. Earlier, by order dated 18-08-2016, the prayer for
bail of the petitioner was rejected, vide Cr. Misc. No. 32152 of
2016. While dismissing the bail petition and considering the fact
that petitioner was in custody and it was a trap case, this Court
directed to supply police paper within specified time. Direction
was also given to the trial court to take up the matter at least twice
in a week. The Court expected that trial may be concluded
preferably within a period of four months from the date of
receipt/production of a copy of the order. Since after direction of



this Court, trial had not concluded, the petitioner has renewed his prayer for bail.

By order dated 08-02-2017, a report was called for from the court below regarding stage of the case, which has been received and kept at flag 'B'. The report indicates that till 10-02-2017, only five witnesses were examined. Thereafter, the Court asked Sri Ramakant Sharma to get instruction regarding the reason for non-conclusion of the trial within time, as observed by this Court in earlier order. On last appointed date, orally, Sri Sharma was requested to get instruction. Today, he has appeared with full information and has explained that order of this Court has sincerely been obeyed and without any delay, immediately after order of cognizance, police paper was supplied on 26-09-2016 and thereafter, charge was framed on 01-10-2016. According to Sri Sharma, till yesterday i.e. 28-02-2017, out of 12 chargesheeted witnesses, 8 have already been examined and today (i.e. 01-03-2017) is the date fixed for further evidence. He submits that Vigilance Department is taking all steps to produce witnesses, as per direction of the trial court.

Sri Satyavrat Verma, learned counsel for the petitioner tried to persuade the Court that Vigilance is not taking appropriate step. He submits that even though P.W.3 was examined, without



any cross-examination, he has subsequently remained absent.

Be that as it may, considering the fact that Vigilance Investigation Bureau is seriously pursuing the matter and out of 12 chargesheeted witnesses, 8 have already been examined, there is no reason to review my earlier order.

The prayer for bail again stands rejected.

Court expects that in view of earlier observation, trial court as well as Vigilance Investigation Bureau will take step for early disposal of the case.

(Rakesh Kumar, J.)

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