

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10174 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -SAHPUR District- BHOJPUR

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1.Babloo Thakur @ Binay Thakur son of Sri Parashuram Thakur@ Atma Thakur
2. Shyam Bihari Thakur son of Sri Sri Parashuram Thakur@ Atma Thakur
3. Binod Thakur son of late Ram Ekbal Thakur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

The trial court has reported that charge sheet against the petitioners has already been submitted but the investigation against others has been kept pending and that is the reason, the case of the petitioners could not be committed to the court of sessions.

Earlier, the prayer for bail of the petitioners was rejected taking note of the recovery of rifles and cartridges from their possession as well as their criminal antecedent and again, I am not inclined to release the petitioners on bail. Hence, their prayer for bail in connection with Shahpur P.S.Case No. 89 of



2016, pending in the court of Additional Chief Judicial Magistrate-XVI, Bhojpur at Ara, stands rejected.

However, the learned Additional Chief Judicial Magistrate-XVI, Bhojpur at Ara, is directed to commit the case of the petitioners to the court of sessions in accordance with law within two weeks from the date of receipt/ production of a copy of this order even separating their cases from other co-accused and after commitment, the sessions court shall conclude the trial of the petitioners within six months from the date of receipt/ production of records in sessions court.

It is made clear that if the trial court fails to conclude the trial of the petitioners within the above stated period of six months due to non co-operation of the prosecution, the petitioners may renew their prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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