

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21679 of 2017

Arising Out of PS.Case No. -46 Year- 2009 Thana -VIDYAPATINAGAR District- SAMASTIPUR
=====

1. Raj Kumar Singh @ Kleshari Singh Son of Late Banarsh Singh,
Resident of Village- Chamtha (Manjhil Khunt), P.S.- Vidyapatinagar,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Smt. Pronati Singh
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Vidyapatinagar P.S. Case
No. 46 of 2009 corresponding to Sessions Trial No. 336 of 2014
instituted for the offence under Section-302/34 of the Indian Penal
Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that in
the last three years, four witnesses have been examined in the case
and for the last three months, not a single witness has been
examined. From the impugned order, it appears that total four
witnesses have been examined in the case.

From the written report, this court finds that this
petitioner is the main assailant in this case. The trial has begun and
four witnesses have been examined and hence, this court is not



inclined to grant bail to the petitioner at this stage. Accordingly, prayer for bail is rejected.

Learned trial court is directed to expedite the trial of the petitioner expeditiously and try to conclude the same within nine months by giving short adjournment.

The Superintendent of Police, Samstipur is directed to produce the witnesses in the court on the date fixed by the court below so that the trial be concluded. The learned District & Sessions Judge, Samastipur will monitor the disposal of this case so that final judgment will be passed in this case.

The petitioner is given liberty to renew his prayer for bail in the court below itself if the trial is not concluded within nine months. The trial court will give reasons to this court if the trial could not be concluded within the said period of nine months.

(Sanjay Priya, J)

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