

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39212 of 2016

Arising Out of PS.Case No. -237 Year- 2013 Thana -NANHPUR District- SITAMARHI

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1. Vijay Bhagat @ Bijay Bhagat Son of Narayan Bhagat @ Ram Narayan
Bhagat Resident of village- Raipur, P.S.- Nanpur, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
Smt. Dibya Bharti.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-01-2017 Heard the parties.

The petitioner is in custody since 03.09.2013 in connection with Nanpur P.S. Case No. 237 of 2013 (S.Tr. No. 122 of 2014), registered for offences punishable under Sections 366(A), 376/34 of the Indian Penal Code.

It appears from perusal of records that earlier the petitioner had moved this Court for grant of regular bail, which was rejected vide order, dated 18.04.2014, passed in Criminal Miscellaneous No. 470 of 2014. Thereafter, the petitioner again moved this Court for grant of regular bail, which was disposed of by this Court vide order dated 23.09.2015, passed in Criminal Miscellaneous No. 43617 of 2014 with a direction to learned court below to conclude the trial within a period of six months. However, uptil now the trial has not been concluded. It further



appears from perusal of records that a report was called for from the Court below, in the said report, it was mentioned that the case is fixed for recording statement of accused under Section 313 Cr.P.C., but on 01.10.2016, the defence has filed a petition for recalling the P.W. 1 informant-cum-victim of the case for re-cross-examination and the next date was fixed on 17.10.2016 for filing rejoinder on behalf of the prosecution.

It also appears from perusal of report of learned court below dated 22.10.2016, that the petition dated 01.10.2016 filed by the petitioner, was disposed of on 21.10.2016.

Considering the above facts, it transpires that at the instance of the petitioner himself, the case has been delayed. In such view of the matter, learned court below is directed to expedite the trial and try to conclude the same within a period of four months from today without any adjournment except of some genuine reasons.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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