

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52771 of 2016

Arising Out of PS.Case No. -265 Year- 2014 Thana -PARWATTA District- KHAGARIA

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Baban Singh @ Babban Singh, Son of Late Girish Singh, resident of
Village Aguani, P.S. - Parbatta, District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Gopal Mishra, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 15-02-2017 Heard both sides.

The petitioner seeks bail in Parbatta P.S. Case No.265 of 2014, corresponding to Sessions Trial No.185 of 2015, registered for the offences punishable under Sections 302, 307 and other Sections of the Indian Penal Code and Section 27 of the Arms Act.

Mr. Nand Gopal Mishra, the learned counsel for the petitioner, submits that the prayer for bail of the petitioner was earlier rejected vide order dated 15.09.2015 passed in Cr.Misc.No.22493 of 2015 with a direction to the trial court to expedite the trial and conclude the same within one year from the date of receipt or production of a copy of this order.

It is submitted that the trial has not yet been concluded and about one year and three months have already lapsed.



On such, a report was called for from the learned Additional District & Sessions Judge-IV, Khagaria with regard to the stage of the trial. The report says that all the witnesses except the I.O. have already been examined and the trial is at its fag end.

Considering the facts aforesaid and nature of allegation made against this petitioner, I am not inclined to enlarge the petitioner above named on bail at this stage. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day-to-day basis and conclude the same within two months from the date of receipt of this order.

The Superintendent of Police, Khagaria is directed to ensure the presence of the Investigating Officer of Parbatta P.S. Case No.265 of 2014, corresponding to Sessions Trial No.185 of 2015, pending in the court of learned Additional District & Sessions Judge-IV, Khagaria, so that the trial must be concluded within two months.

Let a copy of this order be sent to the learned Additional District & Sessions Judge-IV, Khagaria and the Superintendent of Police, Khagaria for information and needful.

Arvind/-

(Prabhat Kumar Jha, J)

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