

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33828 of 2018

Arising Out of PS. Case No.-52 Year-2017 Thana- Nardiganj District- Nawada

Sanjay Singh S/o Hari Prasad Singh @ Hari Prasad, R/o Nardiganj , P.O. +
P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam
Mr. Arjun Prasad

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 25-06-2018 Heard Sri Bhavesh Kumar, learned counsel for the petitioner, learned Addl. Public Prosecutor as well as Sri Arjun Prasad, learned counsel for the informant.

The petitioner, husband of the deceased and is in custody since 26-07-2017, has prayed for grant of bail in Sessions Trial No. 52 of 2018, arising out of Nardiganj P.S. Case No. 52 of 2017, for offence under Section 304(B) of the Indian Penal Code.

Learned counsel for the petitioner tried to persuade the Court that without any cogent evidence, petitioner was made accused, however; during argument he informed the Court that in this case, after framing of charge, trial has already commenced and till date, two prosecution witnesses have already been examined.

Considering the fact that trial is already going on,



there is no reason to extend the privilege of bail.

Sri Bhavesh Kumar, learned counsel for the petitioner submitted that if this Court is not inclined to extend the privilege of bail, some observation may be recorded so that trial may come to its logical end without unnecessary delay.

The Court is in agreement with the submission of learned counsel for the petitioner, particularly in view of the fact that petitioner is in custody since 26-07-2017 and trial is going on. Accordingly, the prayer for bail stands rejected with an observation that the learned Trial Court may take appropriate step so that the case may come to its logical end without unnecessary delay. While proceeding with the case, the Court expects that learned Trial Court may take-up the matter at least twice in a week. The concerned Superintendent of Police is also required to produce the witness(s) as and when required by the learned Trial Judge.

Let a copy of this order be sent to the concerned Superintendent of Police for its compliance.

(Rakesh Kumar, J.)

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