

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63173 of 2017

Arising Out of PS. Case No.-97 Year-2016 Thana- KHANPUR District- Samastipur

Prashant Kumar @ Bhanu, Son of Uday Kumar, Resident of Village-
Shahpur, P.S.- Khanpur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. S.N.P. Sinha, Sr. Advocate, Miss Rashmi Bharti, Advocate
For the Informant	:	Mr. Mukesh Kumar, Advocate
For the State	:	Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 28-03-2018 Heard learned counsel for the petitioner and the learned
counsel for the State.

The petitioner is an accused in connection with S.T. No. 718 of 2017, arising out of Khanpur P.S. Case No. 97 of 2016, registered under Sections 364, 365 and 120(B) of the Indian Penal Code and Section 25(1-B)(a), 26 and 35 of the Arms Act, pending in the Court of Sessions Judge, Samastipur.

Admittedly, the prayer for bail of the petitioner was refused on merit on 06.04.2017 passed in Criminal Miscellaneous No. 7066 of 2017 by this Court. A report, as called for, has been received to the Court of District and Sessions Judge, Samastipur through letter No. 08, dated 05.02.2018, which indicates that



record is running for prosecution witnesses. The summons against the witnesses have already been issued, but no prosecution witness has been turned up and he expected to conclude the trial of the petitioner within 08 months, if the prosecution and defence shall co-operate.

Sri Mukesh Kumar, learned counsel appearing on behalf of the father of the victim submits that he will co-operate in trial.

Having considered the facts and circumstances of the case, since the prayer for bail of the petitioner was earlier rejected by this Court on merit, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner for bail is rejected. However, learned Addl. Sessions Judge, Samastipur is directed to conclude the trial of the petitioner within eight months by taking all effective steps. If the trial of the petitioner is not concluded within the aforesaid period of 08 months, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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