

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23253 of 2018

Arising Out of PS. Case No.-1 Year-2016 Thana- BUDDHACOLONY District- Patna

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Pramod Kumar Singh, son of Late Sachida Nand Singh, resident of Vishal Ganga Apartment, Rajapur Pul, P.S. Shri Krishna Puri, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sessions Trial No.554 of 2016 arising out of Budha Colony P.S. case No.01 of 2016 registered under Sections 498A, 304B, 120B/34 of the Indian Penal Code, pending in the court of Additional District and Sessions Judge XIII, Patna.

The prosecution case, in short, is that while the informant proceeded a little ahead, he saw in the light of his vehicle that this petitioner prevented the way and fired upon his elder brother Madheswar Prasad Singh causing injury on his head. Thereafter he fell down and died.

This is the third attempt for bail on behalf of the petitioner. The earlier bail application of the petitioner was



rejected taking into account that the petitioner is the assailant, who alleged to have fired upon the deceased. The said accusation made by the informant corroborates with the postmortem report.

A report was called for from the trial court regarding the stage of the trial. It has been reported that out of eleven witnesses, three witnesses have already been examined. It has further been reported that N.B.W. has been issued against the witnesses and a letter for production of witnesses has also been sent to the Senior Superintendent of Police, Patna on 12.03.2018.

On the earlier occasion, by order dated 20.04.2017 passed in Cr.Misc.No.13526 of 2017, a direction was issued to the District Magistrate, Patna and the Senior Superintendent of Police, Patna to ensure that the prosecution witnesses are produced on the date fixed before the court below so that the trial could be concluded within the stipulated period i.e. within a period of ten months from that order.

On behalf of the petitioner, it is submitted that inspite of such direction, the trial has not been concluded and the petitioner is languishing in jail since 04.01.2016.

Considering the fact that the petitioner is the main



assailant, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

The District Magistrate, Patna and the Senior Superintendent of Police, Patna are also directed to take necessary steps to produce the witnesses on the date fixed before the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Patna and the Senior Superintendent of Police, Patna.

(Sudhir Singh, J)

Narendra/-

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