

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28202 of 2018

Arising Out of PS.Case No. -24 Year- 2017 Thana -PANCHRUKHI District- SIWAN

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Haresh Ray @ Haresh Rai, Son of Sheo Jee Ray @ Shiva Ji Ray, Resident
of Village- Aghara, Police Station- Marhaura, District- Chapra (Saran).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 05-07-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with
Pachrukhi P.S. Case No. 24 of 2017 for the offence under Sections
420 and 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has not involved in the instant case and the persons, who
have played role in the instant case, have been granted bail on
payment of certain amount. He further submits that this petitioner
is not the beneficiary and as such is not ready to make payment of
any amount. Learned counsel submits that the case is triable by the
Magistrate and the law ordains the trial court to conclude the trial
within 60 days from the date of notice to the accused. He submits
that taking the aforesaid mandatory requirement of law, the
trial court ought to have concluded the trial as yet. He submits



that the trial court may be directed to conclude the trial within a period of two months, which is outer limit for conclusion of the trial in the cases triable by the Magistrate.

In view of the above, the prayer for bail of the petitioner is rejected. However, the trial court is directed to conclude the trial within the time frame of 60 days from the date of receipt/production of a copy of this order, failing which the petitioner is entitled to grant of bail by the trial court itself on completion of 60 days.

(Anil Kumar Upadhyay, J)

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