

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17269 of 2018

Arising Out of PS. Case No.-829 Year-2004 Thana- PHULWARI District- Patna

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Tunnu Kumar @ Tunu Kumar Ram @ Tunu Ram @ Tunu Kumar @ Tunna
Ram @ Tunnu Ram, Son of Dina Nath Ram @ Jhameli Ram, Resident of
Village- Biranchak, P.S.- Janipur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate.

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta, APP

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

ORAL ORDER

4 11-07-2018 The petitioner is accused in connection with Sessions
Trial No. 203/15, 02/16 arising out of Phulwari (Janipur) P.S.
Case No. 829 of 2004 registered under Section 302/34 of the
Indian Penal Code and Section 27 of the Arms Act, pending in
the court of Additional Sessions Judge IV, Patna.

Admittedly, the prayer for bail of the petitioner was
earlier rejected thrice on merit by this Court taking into
consideration the direct allegation against the petitioner to shot
fire at the deceased, who died on spot.

Submission on behalf of the petitioner is that
petitioner is in custody since 22.07.2012, but the trial of the
petitioner has not been concluded as yet.

A report regarding the present stage of trial has been



received through letter no. 50/18 dated 08.07.2018, from the court of Additional Sessions Judge-XIII, Patna, which shows that while the charge has been framed on 18.04.2015 in Sessions Trial No. 203 of 2015, but out of 13 charge sheeted witnesses, only 5 witnesses have been examined and summons to Investigating Officer and Dcotor have been issued and the trial is expected to be concluded within one year, if prosecution produce the witnesses very promptly and defence will cooperate in examination of witnesses.

Having considered the facts and circumstances of the case, I find no ground to reconsider the prayer for bail of the petitioner. Accordingly, the prayer for bail of the petitioner is rejected for the present. However, the trial court 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 aforesaid period of eight months, the petitioner would be at liberty to approach before this Court.

(Rajendra Kumar Mishra, J)

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