

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56383 of 2018

Arising Out of PS. Case No.-48 Year-2014 Thana- PANAPUR District- Saran

Nagendra Kunwar @ Nagendra Kuwar S/o Late Ram Dharan Kunwar, R/o
Vill.- Chakiya, P.S.- Panapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Rajesh Kumar, Adv.
For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-12-2018 Heard Mr. Rakant Sharma, Senior Advocate on behalf of
the petitioner.

The petitioner seeks regular bail in connection with
Panapur P.S.Case No.48 of 2014 dated 1.6.2014 registered for
offences punishable under Sections 147, 148, 149, 448, 326,
307, 323, 379, 427 and 302 of the Indian Penal Code and
Section 27 of the Arms Act.

Earlier the prayer for bail of the petitioner was rejected
thrice by this Court - firstly by order dated 11.1.2017 passed in
Cr. Misc. No.55709 of 2016 and again vide order dated
16.8.2017 passed in Cr. Misc. No.35012 of 2017 and lastly vide
order dated 18.4.2018 passed in Cr. Misc. No.18379 of 2018 by
the then Hon'ble Co-ordinate Bench of this Court and while



dispose of the order dated 18.4.2018 passed in Cr. Misc. No.18379, the Hon'ble Bench had directed the learned trial court to expedite the trial and try to conclude it within a period of four months.

Further it appears from the fact that up till now only one witness has been examined.

Submission of the learned counsel for the petitioner is that he is in custody for about 2 ½ years and the allegation is of assault. No doubt there is specific allegation of assault against the petitioner by *Tangi* on head.

Heard learned A.P.P. also.

Having heard both sides and from perusal of the record it appears that the petitioner is assailant and trial is going on. In such view of the matter, I am not inclined to grant bail to the petitioner however, the petitioner is in custody for 2 ½ years, the learned trial court is directed to expedite the trial and if possible to conduct it on regular basis so that the trial may be concluded as soon as possible.

At the same time, the Superintendent of Police of the concerned district is directed to produce the witnesses in the trial on the date fixed so that the trial may be concluded



expeditiously. The above direction must be complied by the learned trial court as well as by the Superintendent of Police of concerned district in strict sense.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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