

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58090 of 2017

Arising Out of PS. Case No.-92 Year-2008 Thana- Chainpur District- Bhabhua (Kaimur)

Azad Sah S/o Late Amirullah Sah @ Amrulah Sah, R/o Village- Koendi, P.S.-
Chainpur, District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 03-01-2018 Heard Sri Rajani Kant Pandey, learned counsel for the
petitioner and Sri Pramod Kumar Pandey, learned Addl. Public
Prosecutor.

This is the 2nd attempt for grant of bail on behalf of the
petitioner. Earlier, the prayer for bail of petitioner was rejected
on 06-12-2016, vide Cr. Misc. No. 42301 of 2016. The
petitioner is in custody since 30-03-2016 in a case, which was
registered in the year 2008, vide Chainpur P.S. Case No. 92 of
2008, for offence under Sections 498A, 304B, 34 of the Indian
Penal Code.

In this case, by order dated 13-12-2017, a report was
called for from the court below regarding stage of the case,
which has been received and kept at flag 'A'. The report dated
19-12-2017 sent under the signature of Sri P.R.K.Sinha, learned



Addl. Sessions Judge – IV, Bhabua makes it clear that out of 8 chargesheeted witnesses, 3 prosecution witnesses have already been examined. Meaning thereby that trial is going on.

Accordingly, there is no reason to review my earlier order. The prayer for bail again stands rejected.

However, considering the fact that petitioner is in custody since 30-03-2016, while dismissing, it is desirable to observe that learned Trial Judge may take appropriate step so that the case may come to its logical end without unnecessary delay. The prosecution is required to produce witnesses as and when required by the trial court. The Court expects that concerned Superintendent of Police will ensure production of witnesses during the trial as and when required by the trial court.

Let a copy of this order be sent to the concerned Superintendent of Police for its compliance.

(Rakesh Kumar, J.)

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