

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1352 of 2018

Arising Out of PS. Case No.-55 Year-2013 Thana- ANDHRAMATH District- Madhubani

Ram Babu Sah, son of Dashrath Sah, resident of village-Hariraha, P.S.
Andharamath, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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

ORAL ORDER

3 14-03-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Andharamath
P.S. Case No.55 of 2013/G.R. No.1326 of 2013 registered under
Sections 302 and 120(B)/34 of the Indian Penal Code besides
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the prayer
of the petitioner for grant of bail was rejected twice by this
Court, lastly, vide order dated 26.04.2017 passed in Criminal
Misc. No.3492 of 2017, taking into consideration the direct
allegation against the petitioner to shot fire at the deceased, the
daughter of the informant, who died on the spot. While the
charges were framed against the petitioner on 20.06.2017 but



uptil now, not a single witness has been examined by the prosecution.

The report, as called for vide order dated 31.01.2018 passed by this Court, regarding the present stage of the trial and the expected time within which the trial of the case is likely to be concluded, has been received from the court of the Additional Sessions Judge-VI, Madhubani, vide letter no.13 of 2018 dated 12th February, 2018, from which it appears that while the charges were framed against the petitioner on 20.06.2017 but out of 07 chargesheeted witnesses, not a single witness has been examined and at least, one year time is likely to be expected for the conclusion of the trial.

Having regard to the facts and circumstances of the case and considering the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail is again rejected. However, the Additional Sessions Judge-VI, Madhubani, is directed to conclude the trial of the petitioner expeditiously by taking all the effective steps for the appearance of the prosecution witnesses.

(Rajendra Kumar Mishra, J)

P.S./-

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