

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53077 of 2018

Arising Out of PS.Case No. -348 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

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Vipul Kumar Patel @ Vicky Kumar @ Vipul Patel @ Vicky S/o
Late Anil Singh, R/o Vill.- Laxamanpur, P.S.- Jandaha,
District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Asharaf Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 19-09-2018

Heard learned counsel for the petitioner

and learned counsel representing the State.

Earlier the prayer for bail of the petitioner was rejected vide order dated 11.01.2018. By the last order this court had called for a report regarding progress in the trial of the case. The learned In-charge Sessions Judge, Vaishali has sent a report, according to which the records have been committed to the court of sessions on 28.03.2018, but charges have not been framed because despite issuance of production warrant one of the accused who is presently lying in Samstipur Jail has not been produced.



Learned counsel for the petitioner submits that so far as the cases indicated in paragraph-3 of the application are concerned, in all those cases petitioner has been granted bail.

It is further submitted that the petitioner is in custody in connection with this case w.e.f. 04.03.2016. It is also submitted that till date the T.I. parade has not been conducted and in near future there is no chance of conclusion of trial.

Learned counsel for the State submits that the petitioner is a habitual offender as such he should not be enlarged on bail.

Considering the facts and circumstances of this case, the prayer for bail of the petitioner is rejected at this stage, however, giving liberty to the petitioner to move afresh if the trial is not concluded within the next six months.

The Superintendent of Police, Vaishali is directed to take appropriate steps for execution of



the production warrant issued by the court below by producing the co-accused on the next date. The case shall proceed on day to day basis without granting any adjournment unnecessarily and every effort should be made to complete the trial within six months.

This application stands disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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