

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4760 of 2018

Arising Out of PS.Case No. -57 Year- 2016 Thana -DIGHALBANK District- KISANGANJ

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1. Md. Ilyas @ Md. Ilyas @ Md. Illiyas, son of late Md. Khalil, resident of village- Kharwal Tola, Mohamari, Police Station- Dighalbank, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through the Inspector, 12th Battalian S.S.B. Dighalbank Camp, Kishanganj, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **S. T. No.262 of 2016 arising out of Dighalbank P.S. Case No.57 of 2016** instituted for the offence under Section(s) 489-A, 489-B, 489-C Indian Penal Code pending in the Court of the **A.S.J., II, Kishanganj.**

Prayer of the petitioner for grant of bail was earlier refused by this Court by order dated 12.04.2017 passed in Cr. Misc. No.2974 of 2017 with liberty to renew his prayer for bail after six months if there is no substantial progress in the trial.

A report was called for from the Trial Court, which has been received, from which it appears that all the prosecution



witnesses have already been examined. Case is pending for report of the Forensic Science Laboratory. The Trial Court has mentioned in the report that trial will be concluded within three months.

In such circumstances, when the trial has progressed and all the witnesses have been examined, this Court is not inclined to enlarge the petitioner on bail at this stage.

Prayer of the petitioner for grant of bail is rejected.

However, Trial Court is directed to expedite the trial and make efforts to conclude the same within a period of three months from the date of receipt of copy of this order as mentioned in the report of the Trial Court.

Liberty is given to the petitioner to renew his prayer for bail in the Court below itself in the event trial is not concluded within the aforesaid period, which shall be considered and disposed off by the Court below in accordance with law and in that event Trial Court will assign reason for not concluding the trial within the time frame.

(Sanjay Priya, J)

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