

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8044 of 2019

Arising Out of PS. Case No.-712 Year-2015 Thana- NAUBATPUR District- Patna

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Jitendra Kumar @ Jitendra Verma, Son of Sudeshwar Mahto, Resident of
Village Lodipur, P.S. Naubatpur District Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Dinesh Singh

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Earlier the prayer for bail of the petitioner was twice rejected by this court and while rejecting the prayer for bail of the petitioner on 17.01.2018, this court directed the trial court to expedite the trial of the petitioner and try to conclude the same as early as possible within nine months. However, the trial court vide letter no. 56 dated 19.02.2019 reported that the charge against the petitioner was framed on 16.02.2018 but up till now not a single prosecution witness could be examined. The trial court has reported that not only summons but warrant of arrest have also been issued against the prosecution witnesses and show-cause has been sent through Sr. SP, Patna but all went in



vain.

The petitioner is named in the FIR but no specific overt-act has been attributed against him rather general and omnibus allegation of committing murder has been levelled against him. However, previous orders of this court go to show that in course of investigation, mother and sister of the deceased claimed themselves to be eye-witnesses and stated that it was the petitioner who shot fire on the deceased.

The petitioner is in jail custody since 17.12.2015 without any substantive progress in the trial and the so-called eye-witnesses are not coming to depose before the court.

Considering the facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. and Sessions Judge-I, Danapur, Patna in Session Trial No. 646 of 2017 arising out of Naubatpur P.S. Case No. 712 of 2015.

(Hemant Kumar Srivastava, J)

s.hassan/abhijeet-

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