

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14854 of 2019

Arising Out of PS. Case No.-2 Year-2017 Thana- BIBHUTIPUR District- Samastipur

KAMAL KISHORE KAMAL, Son of Dasarath Mahato, Resident of Village-
Salkhanni, P.S.- Bibhutipur, District - Samastipur (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP
For the Informant	:	Mr. Ashok Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 01-08-2019 Heard learned counsel for the petitioner and learned
APP for the State as well as counsel for the informant.

Petitioner seeks bail in **Sessions Trial No.91 of 2018**
arising out of Bibhutipur P.S. Case No.02 of 2017 instituted
for the offence under Section(s) 302, 120-B/34 Indian Penal
Code pending in the Court of the **Additional Sessions Judge,**
Rosera, Samastipur.

In the written report, there is specific allegation
against the petitioner of causing firearm injury in the temporal
region of the deceased, who was his own brother. He died on
account of aforesaid injury.

Prayer of the petitioners for bail was earlier rejected
by co-ordinate Bench of this Court by order dated 17.07.2018



passed in Cr. Misc. No.29203 of 2018 with direction to the trial court to expedite the trial and preferably conclude the same within one year.

Report has been received from the Court below from which it appears that three witnesses have been examined in the case. It is mentioned in the report that accused persons are being represented in different sets due to which cross-examination of the witnesses are being done separately on behalf of different accused and, therefore, trial could not be concluded within one year and it consumed lot of time. The trial Court has mentioned in the report that he would try to conclude trial within a period of six months.

This Court from the report of the Court below finds that there is no laches on the part of the Court.

Therefore, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected at this stage.**

The trial Court is directed to expedite the trial and make all efforts to conclude the same as early as possible, preferably, within a period of nine months from the date of receipt of a copy of this order either by fixing the case on day to



day basis or by giving short adjournments.

(Sanjay Priya, J)

J. Alam/-

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