

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18724 of 2019

Arising Out of PS. Case No.-457 Year-2015 Thana- BIHARSHARIF District- Nalanda

Ritesh Kumar @ Vikash Kumar, aged about 26 years, (Male), Son of Mukesh Kumar , resident of Village - Chandi, P.S.- Ariyari, District - Sheikhpura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Dhananjay Mishra, Adv.
For the Opposite Party/s :	Mr. Anant Kumar no. 1, A.P.P.
	Mr. Ganesh Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 01-05-2019 Heard Sri Dhananjay Mishra, learned counsel for the petitioner, Sri Anant Kumar No.1, learned Addl. Public Prosecutor as well as Sri Ganesh Sharma, learned counsel for the informant.

This is fourth attempt for grant of bail on behalf of the petitioner, who is in custody in Bihar P.S. Case No.457 of 2015, corresponding to Sessions Trial No.337 of 2016, registered for offence under Sections 364(A)/120(B) of the Indian Penal Code and subsequently Sections 363, 368, 302, 201 of the Indian Penal Code were added.

Learned counsel for the petitioner submits that despite the fact that the petitioner is in custody since



10.06.2015, trial has not been concluded till date.

In this case, by order dated 03.04.2019, a detailed report was called for from the court below, which has been received and kept at Flag-A.

Learned Addl. Public Prosecutor as well as learned counsel for the informant submits that trial is going on and witnesses are being examined.

The report of learned 2nd Addl. District & Sessions Judge, Nalanda at Biharsharif, contained in letter no.52 dated 15th April,2019 is specific on the point that out of total thirteen chargesheeted witnesses, nine witnesses have already been examined. Meaning thereby that trial is going on.

Accordingly, there is no reason to review my earlier order. The prayer for bail of the petitioner stands again rejected.

However, while rejecting the prayer for bail of the petitioner and considering the fact that the petitioner is in custody since long, it is desirable to observe that the learned trial court may take appropriate steps, so that the case may come to its logical end without unnecessary delay.



The concerned Superintendent of Police is directed to ensure presence of witnesses before the court below, as and when required by the learned trial Judge.

Let a copy of this order be sent to the Superintendent of Police, Sheikhpura for its compliance.

(Rakesh Kumar, J.)

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