

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20947 of 2019

Arising Out of PS. Case No.-196 Year-2014 Thana- BHAGWAN BAZAR District- Saran

Golu Patwa Son of Late Gauri Patwa R/o village- Dharmnath Mandir Ahir
Toli, P.S.- Bhagwan Bazar, Distt.- Saran at Chhapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan

For the Opposite Party/s : Mr.Narendra Kumar Singh

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

ORAL ORDER

3 18-09-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 302/34 of the Indian Penal
Code.

Earlier the bail prayer of the petitioner was twice
rejected by this court taking note of this fact that petitioner gave
dagger blow as a result whereof deceased died. Furthermore, it
would appear from perusal of order dated 02.05.2018 passed in
Cr. Misc. No. 16089 of 2018 that while rejecting the bail prayer
of the petitioner, this court directed the trial court to expedite the
trial of the petitioner and conclude the same as early as possible.

The trial court vide letter no. 49 dated 07.05.2019



reported that charge against the petitioner was framed on 06.04.2017 and out of eight proposed prosecution witnesses, only four prosecution witnesses could be examined up till now.

Learned counsel appearing for the petitioner submits that petitioner is in jail custody since 03.12.2014 but up till now his trial could not be concluded though this court directed the trial court to expedite the trial of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Sessions Trial No. 486 of 2015 arising out of Bhagwan Bazar P.S. Case No. 196 of 2014 stands rejected.

However, the learned trial court is directed to conclude the trial of the petitioner within four months from the date of receipt/production of copy of this order, failing which the petitioner shall be at liberty to renew his prayer for bail directly before this court.

Let a copy of this order be sent to Superintendent of Police, Saran at Chapra with direction to him to ensure the presence of remaining prosecution witnesses of Sessions Trial No. 486 of 2015 arising out of Bhagwan Bazar P.S. Case No. 196 of 2014 before the learned 2nd Additional Sessions Judge,



Saran at Chapra within two months from the date of receipt of this order.

It is also made clear that any laches on the part of learned 2nd Additional Sessions Judge, Saran at Chapra as well as Superintendent of Police, Saran at Chapra shall be viewed seriously.

(Hemant Kumar Srivastava, J)

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