

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33157 of 2019

Arising Out of PS. Case No.-730 Year-2016 Thana- PHULWARISHARIF District- Patna

Karu Singh, aged about 56 years (Male), son of Late Akhileshwar Singh, resident of Village- Purani Bazar, Police Station- Bakhtiyarpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Adv.

For the Opposite Party/s : Mr.Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 21-08-2019 Heard Sri Tej Narayan Singh, learned counsel for the petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

This is third attempt for grant of bail on behalf of the petitioner. The petitioner is in custody since 01.12.2016 in Phulwarisharif P.S. Case No.730 of 2016, corresponding to Sessions Trial No.278 of 2017. On the last occasion, while rejecting the prayer for bail of the petitioner, this Court had observed that the trial court may take appropriate steps, so that the case may come to its logical end without unnecessary delay. Simultaneously, the prosecution was also directed to produce witnesses, as and when, required



by the trial court.

Accordingly, in the present petition, on 17.07.2019, a detailed report was called for from the court below, which has been received and kept at Flag-A. The report sent by the trial court, contained in letter no. 76/19 dated 23.07.2019 makes it clear that after commitment, charges were framed on 31.07.2017 and thereafter despite issuance of non-bailable warrant till the date of report, not a single witness was produced. On perusal of the report of the trial court, it appears that the prosecution is not at all interested for early disposal of the trial and, as such, the petitioner may not be detained for an indefinite period without speedy trial.

Accordingly, let the petitioner, namely, Karu Singh be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.XIII, Patna in Sessions Trial No.278 of 2017, arising out of Phulwarisharif P.S. Case No.730 of 2016, with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during the trial, the petitioner shall



remain physically present before the court below on each and every date. If continuously on two dates without prior permission of the trial court, the petitioner remains absent, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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