

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26573 of 2019

Arising Out of PS. Case No.-37 Year-2012 Thana- DIGHA District- Patna

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SANTOSH KUMAR JAISWAL @ SUDHIR KUMAR JAISWAL @
SANTOSH JAISWAL Son of Prem Jaiswal @ Prem Kumar Jayasval R/o-
Mohalla- Hathwah Enclave Ramjee Chak, (Tenant of Dr. Neelam Gupta),
P.S.- Digha, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 10-07-2019 The prayer for bail of petitioner was earlier rejected twice by a Co-ordinate Bench of this Court vide orders dated 5.3.2013 and 14.8. 2014 passed in Cr. Mic. nos. 48339 of 2012 and 30903 of 2014.

As per *Fardbeyan* there is specific allegation against this petitioner of causing injury on chest of father of informant with Bhujali on account of which he died.

Report called for from the Court below has been received and kept at Flag-‘B’. From perusal of the report, it appears that seven witnesses named in charge sheet have already been examined and three witnesses are left to be examined.

Petitioner is in custody since 13.3. 2012.

This Court is really shocked to see the casual approach of the Trial Court in not taking up the trial of this accused speedily



who is in custody for about seven years.

From the report it appears that seven witnesses have already been examined and three witness are left to be examined. This Court has earlier directed twice by order dated 5.3. 2013 passed in Cr. Misc. no. 48339 of 2012 and order dated 14.8. 2014 passed in Cr. Misc. no. 30903 of 2014 to expedite the trial. But, the trial Court did not take these direction seriously.

In such circumstances, Trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of six months from date of receipt of this order by fixing the case on day to day basis and send compliance report. It is made clear that in the event trial is not concluded within the time mentioned above, appropriate action will be taken in the matter. This Court expresses displeasure over the manner in which trial Court has neglected to take the two earlier orders of this court seriously.

Let this order be communicated to the officer concerned and also kept in his A.C.R.

The bail application is dismissed with direction and observation made above.

(Sanjay Priya, J)

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