

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33559 of 2019

Arising Out of PS. Case No.-415 Year-2015 Thana- MADHAURAH District- Saran

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Md. Mumtaz, aged about 31 years, male, Son of Mushtaque Alam, Resident of Village Olhanpur, Police Station- Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amir Alam, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 31-07-2019 The petitioner had approached this Court twice earlier for grant of bail *vide* Cr. Misc. Nos. 47835 of 2017 and 46278 of 2018 respectively in connection with Marhowrah P.S. Case No. 415 of 2015 dated 01.11.2015. On both the occasions, though the prayer for grant of bail was rejected, but the Trial Court was directed to conclude the trial within a specified time frame. In the first instance, a time of six months was granted by this Court and on the second occasion, this Court had directed for conclusion of



the trial within a period of four months.

2. The trial has yet not been concluded and, therefore, the petitioner had to approach this Court again for the third time.

3. This Court had, by order dated 03.07.2019, called for a report from the Court below about the stage of the trial. The report has since been received and has been kept at Flag 'A'. The same facts have been stated in the report that all efforts have been made to procure the attendance of the Doctor and the Investigating Officer and the next date fixed in the case is 18.07.2019.

4. Regard being had to the fact that the petitioner is in custody since 16.12.2015, no further time can be given to the Trial Court for completing the trial beyond a period of three months from the date of receipt/production of a copy of this order.

5. If the trial is not concluded within a period of three months from the date of receipt/production of a copy of this order, the Trial Court shall release the petitioner on bail in connection with Marhowrah P.S. Case No. 415 of



2015, subject to the conditions which the Trial Court may deem fit in the facts of this case.

6. With the aforesaid observation/direction, the petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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