

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36500 of 2019

Arising Out of PS. Case No.-154 Year-2013 Thana- JAMUI District- Jamui

=====

SATYAWARAT BHARTI, aged about 38 years (Male), Son of Sri Rajendra Prasad Verma @ Rajendra Prasad, Resident of Bangali Pura Jamtara Road, P.S.- Nirsa, District- Dhanbad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Parasar, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP
For the Informant	:	Mr. Ram Vinay Pd. Singh@ Sanjay, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 14-08-2019

Heard the parties.

The petitioner has come to this Court on different occasions for grant of bail in connection with S.T. No. 171 of 2016, arising out of Jamui P.S. Case No. 154 of 2013, registered for the offence under Section 302/34 of the Indian Penal Code.

All the accused persons are the Police personnel. It has been submitted by both the parties that every stage of the criminal proceeding has been concluded, both sides have already addressed the Court on merit and the petitioner is awaiting the final judgment on the trial, but one of the accused persons namely, Jitendra Kumar has approached this Court, challenging the authority of the Court below to proceed with the matter without grant of sanction as per Section 197 of the Cr.P.C., which is still pending.



If no stay order has been passed by this Court or by any higher Court and if the parties have already addressed the Court on merit, in such circumstance, the Court below is expected to pass final verdict in Jamui P.S. Case No. 154 of 2013 as it has been claimed by the petitioner that he has never raised any objection with regard to error in the criminal trial but, he is in judicial custody unnecessarily without any fault.

In such view of the matter, this Court directs that if there is no stay order in the case of the petitioner, then the Presiding Officer, dealing with the present case, should give the final judgment on the trial without unnecessary delay preferably within a period of two months from the date of receipt/production of a copy of this order. In failure to pass the final judgment on the trial, the petitioner will be at liberty to approach this Court for consideration of bail.

In view of the above, at present this Court is not granting bail to the petitioner.

With the aforesaid observations and directions, this bail petition is disposed of.

(Shivaji Pandey, J)

pawan/-

U		T	
---	--	---	--

