

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3761 of 2018

Arising Out of PS. Case No.-170 Year-2017 Thana- RUNISAIDPUR District- Sitamarhi

Vishal Kumar S/o Kapil Das under the guardianship of his namely, Kapil Das,
Resident of Village- Tarauna Gopalpur, P.S.- Mushahari, Dist- Muzaffarpur.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ritesh Kumar Narain Singh, Adv
For the Respondent/s : Mr. Binod Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 27-02-2019 Heard learned counsel for the appellant as well as
learned APP.

At an earlier occasion under Cr. Appeal (SJ) No.
104/2018 (Annexure-1) while rejecting the prayer for bail of
both the appellants vide order dated 05.03.2018, a direction was
given to the learned lower court in following manner:-

“However, it is made clear that after examination
of the informant, the learned lower court will
allow both the appellants, namely, Md. Dildar
and Vishal Kumar to be released on bail to its
own satisfaction”.

The grievance of the appellants happens to be that
informant has not yet been examined and so both the appellants
be allowed on bail in the background of period of custody.

Considering the submissions as well as observation,



the prayer for bail of the appellants is refused. Consequent thereupon, instant appeal is rejected.

However, learned lower court is directed to see that there should not be undue detention nor the trial should be a mockery. That being so, the learned lower court will take proper initiative and will try to dispose of the trial within a year positively, failing which, the learned lower court will have to furnish an explanation over non compliance of the direction of the Bench.

Office to communicate accordingly.

(Aditya Kumar Trivedi, J)

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