

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75347 of 2018

Arising Out of PS. Case No.-173 Year-2014 Thana- LALGANJ District- Vaishali

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Braj Kishore Singh @ Jatta Singh @ Jaita Singh, Son of Vidya Singh
Resident of Village- Salempur Diar, Police Station- Lalganj in the district of
Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Sr. Advocate.
Mrs. Bela Singh, Advocate.
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 25-02-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Sessions Trial No. 231 of 2017 arising out of Lalganj P.S. Case No. 173 of 2014** instituted for the offence under Section(s) 302/34 of the Indian Penal Code pending in the court of learned District and Sessions Judge, Vaishali at Hajipur.

Prayer of the petitioner for grant of bail was twice rejected by coordinate Bench of this Court with direction to the court below to conclude the trial within 9 months.

Report was called for from the court below which has been received.

From the report, it appears that out of nine, five witnesses have been examined. The next date was fixed on 7.1.2019 for evidence. Charge has been framed against the petitioner under



Sections 302, 307 and 324 of the Indian Penal Code. The court of Sessions Judge was vacant since 23.7.2018 and, hence, no progress was made.

As per written report, the petitioner is main assailant.

In such circumstances, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer of the petitioner for grant of bail stands rejected.

This Court directs the trial court i.e. Sessions Judge/ Incharge Sessions Judge to conclude the trial within nine months from the date of receipt of this order by giving short adjournment in the case since petitioner is in custody from 9.1.2015.

It is made clear that in the event the case is pending in any vacant court, the same shall be immediately transferred to the court of Sessions Judge/Incharge Sessions Judge for conclusion of trial.

(Sanjay Priya, J)

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