

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11133 of 2020

Arising Out of PS. Case No.-38 Year-2016 Thana- KOTHIGRAM District- Gaya

SHANE ALI KHAN Son of Late Jangli Khan Resident of Village -
Samsabad, P.S. Imamganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar Sinha, Sr. Advocate
Mr. Abhinay Raj, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Kothi
P. S. Case No.38 of 2016 (Sessions Trial No. 85 of 2017/54 of
2017 (SJ) for the offences under Sections 302, 34, 120(B) of the
Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner would submit that
earlier the petitioner had approached this Court in Cr. Misc. No.
45285 of 2018 which was rejected on 1.10.2018. However, the
trial court was directed to expedite the trial. The petitioner is in
custody since 28.10.2016. We are in 2020. He further submits
that other co-accused persons have been granted bail as is
evident from Annexure-4 series.



Considering the totality of the fact situation, the Court is constrained to direct the court below to conclude the trial positively within a period of six months.

If the trial is not concluded within the aforesaid period and in the event there is no laches on the part of the petitioner in early disposal of the trial, the court below shall be under obligation to release the petitioner on bail after completion of six months from the date of receipt/production of a copy of this order.

With the aforesaid observations/direction, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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