

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25231 of 2020**

Arising Out of PS. Case No.-48 Year-2012 Thana- DAWATH District- Rohtas

BALMITRA KUMAR S/o Sumeshwar Singh, Resident of Village-Kewai,
Police Station-Dawath, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.
For the Opposite Party/s : Mr.Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

5 13-11-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Dawath P.S. Case No.48 of 2012 registered under Sections 363, 365, 364, 302, 201 and 34 of the IPC.

The prayer for bail of the petitioner was thrice rejected by this Court. This Court while rejecting the prayer for bail of the petitioner on 23.10.2019 passed in Cr.Misc.No.66858 of 2019 directed the S.P., Rohtas at Sasaram to produce the remaining witnesses in Court positively on the next fixed date so that the trial may be concluded. The trial court as well as the S.P., Rohtas at Sasaram was also directed to submit a report to this Court about the progress of the trial by 11.12.2019 but the trial court for the reasons best known to him did not submit a



report to this Court. The S.P., Rohtas at Sasaram also did not submit any report about non-production of remaining non-examined prosecution witnesses and on such the S.P., Rohtas at Sasaram was directed to be present in Court through Video Conferencing. In pursuance of the order aforesaid, the S.P., Rohtas at Sasaram is present through Video Conferencing and submits that due to misinformation given by learned A.P.P. that all the witnesses have been examined, he could not produce the witnesses in Court. The S.P., Rohtas at Sasaram further submits that two months' time may be given to him so that he may produce all the witnesses in Court for their evidence.

Having considered the facts aforesaid and the undertakings given by the S.P., Rohtas at Sasaram, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The S.P., Rohtas at Sasaram is directed to produce the remaining non-examined prosecution witnesses within two months from the date of this order before the trial court and the trial court is directed to examine the witnesses holding the trial on day to day basis. Thereafter the trial court is directed to dispose of the sessions trial within three months from the date of receipt of this order.



Let this order be sent to the trial court through E-mail
for information and needful.

(Prabhat Kumar Jha, J)

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