

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32483 of 2019

Arising Out of PS. Case No.-35 Year-2011 Thana- HASPURA District- Aurangabad

Satyendra Singh S/o Late Lal Babu Singh Resident of Village- Hardayal
Bigha (Gahana), P.S.- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar No.6

For the Opposite Party/s : Mr. Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 19-02-2020 Heard both sides.

Earlier the prayer of the petitioner was thrice rejected by this Court but petitioner seeks bail on the ground that he is languishing in jail custody without any progress in his trial. The learned trial Court vide his letter no.290 of 2019 dated 27.09.2019 has reported that original record of the case is pending in the Court of learned Fast Track Court No.V, Aurangabad and he has written letter to learned Sessions Judge, Aurangabad for transferring the supplementary and original record in one Court and he has further reported that he has also written to learned Presiding Officer, Fast Track Court No.5, Aurangabad for sending original record so that he could proceed with the trial. The trial Court has also reported that the charge



against the petitioner was framed on 20.02.2019 but up-till-now no prosecution witnesses could be examined on account of non-availability of the original record.

Taking note of the above stated facts and circumstances as well as this aspect of the matter that the petitioner happens to be the main assailant, I am not inclined to release him on bail and, accordingly, his prayer for bail is again rejected in connection with Sessions Trial No.02 of 2017/202 of 2018 arising out of Haspura P.S.Case No.35 of 2011 pending in the Court of learned Additional Sessions Judge-IV, Aurangabad.

However, learned Sessions Judge, Aurangabad is directed to pass appropriate order so that original record of Sessions Trial No.02 of 2017/202 of 2018 and Supplementary Record of trial No.328 of 2011 could be tried by one Court.

(Hemant Kumar Srivastava, J)

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