

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58814 of 2019

Arising Out of PS. Case No.-77 Year-2017 Thana- KOILWAR District- Bhojpur

Prince Kumar @ Tali, Son of Sri Sachidanand Singh Resident of Village-
Matiyara, P.S.- Koilwar, Distt- Bhojpur Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-07-2020 Heard Mr. N.K. Agarwal, learned Senior Advocate for the petitioner and Mr. Dilip Kumar, No. 1, learned APP for the State.

The prayer for bail of the petitioner was earlier rejected *vide* order dated 06.12.2017 passed in Cr. Misc. No. 53854 of 2017.

In the second attempt made by the petitioner for grant of bail, this Court had asked for a report about the stage of the trial. The report has been received and is kept at 'Flag-A'. From the report which is dated 29.02.2020, it can be inferred that all the prosecution witnesses have been examined and the case is pending only because of the non-examination of the Investigating Officer and the Doctor. The report further indicates that necessary processes have been issued against the



aforesaid two witnesses for procuring their attendance.
On the date when the report was written, next date in the case was fixed on 19.03.2020.

It is not known as to what happened thereafter.

However, considering the period of custody of the petitioner, which is almost three years and the fact that all the witnesses except two official witnesses have not been examined, this Court directs that the trial be concluded positively within a period of six months and for the failure of the trial court to do so, the petitioner would have the liberty to approach the trial court and seek bail. If such a petition is filed before the trial court, it shall record reasons for the decision taken on that petition.

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

(Ashutosh Kumar, J)

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