

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65577 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- BALRAMPUR District- Katihar

Garib Nawaz @ Garib Nawz, Son of Md. Mazahir @ Shekh Majahir @ Muzahid Resident of Village- Baluganj near Urdu School, P.S.- Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Najeeb Ahmad, Adv.
For the State	:	Mr. Arun Kumar Singh, APP.
For the informant	:	Mr. Bhola Prasad
	:	Mr. Mukesh Kumar Jha

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 24-06-2020 Heard learned counsel appearing for petitioner, learned Additional Public Prosecutor for the State as well as learned counsel appearing for the informant.

Petitioner is in jail custody since 17.03.2019 in connection with Sessions Case No. 233 of 2019 arising out of Balrampur P.S. Case No. 33 of 2019.

Learned counsel for the petitioner submits that the name of petitioner is said to have been disclosed by deceased before his death but as a matter of fact none had seen the actual killing of the deceased because according to claim of the petitioner, deceased was caught fire but some sharp cutting injuries were found on the person of the deceased and the informant did not explain as to how the sharp cut injuries were found on the person of the deceased.



He further submits that the petitioner has been implicated in this case on account of previous enmity and village politics.

On the other hand, learned Additional Public Prosecutor as well as learned learned counsel for the informant submit that the prosecution has already closed its evidence and the trial of the petitioner is on the verge of conclusion.

The learned Sessions Judge, Katihar vide letter No. 71 of 2020 dated 17.03.2020 has reported that the trial of the petitioner is pending for defence evidence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail, for the present, and, accordingly, his prayer for bail stands rejected.

However, the learned Trial Court is directed to dispose of Sessions Trial Case No. 233 of 2019 within a reasonable period, preferably, within six months. Petitioner may renew his prayer for bail after six months from the date of receipt/production of copy of this order before the learned Trial Court, if his trial is not concluded within the above stated period.

(Hemant Kumar Srivastava, J)

GAURAV S./-

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