

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33100 of 2020

Arising Out of PS. Case No.-600 Year-2018 Thana- SHASTRINAGAR District- Patna

GAUTAM KUMAR S/o Lakhan Yadav @ Ram Lakhan Yadav R/o village-
Porai, P.S.- Harnaut, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-03-2021 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
363, 364, 323, 506/34 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that in the
statement recorded under Section 164 Cr.P.C., the victim had levelled
specific allegation against the petitioner of commission of abduction.

A report was called for from the trial court. It has been reported
that the evidence was closed on 03-03-2020 and the case was fixed
for recording the statement of the accused-petitioner under Section
313 of Cr.P.C. It is further pointed out that the accused is not being
produced in spite of letters sent to the Jail Authority, Fulwarisharif
number of times. It has further been indicated that the accused has
been shifted to Mandal Kara, Samastipur during pandemic. The trial
court has further pointed out that after recording the statement of the



accused-petitioner under Section 313 of Cr.P.C., the trial is likely to be concluded within six months.

Considering the nature of accusation and the stage of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 236 of 2019 arising out of Shastrinagar P.S. Case No. 600 of 2018 is rejected.

Learned trial court is directed to take all possible steps to conclude the trial preferably within a period of four months from the date of receipt/production of copy of this order.

The District Magistrate, Patna is directed to ensure that the accused is produced in the trial court for recording his statement under Section 313 of Cr.P.C. at the earliest, preferably within a period of two months so that the trial could be concluded within the stipulated time of four months.

Let a copy of this order be communicated to the District Magistrate, Patna for needful.

(Sudhir Singh, J)

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