

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34103 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- MAHILA P.S. District- Siwan

Gapu Kumar @ Avinash, aged about 25 years, Male, Son of Arjun Prasad Yadav, Resident of village Siswan Dhala Laxmipur, P.S. Siwan (Town), District Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ranjeet Kumar Pandey, Advocate
For the Opposite Party : Mr. Anant Kumar Bhaskar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-03-2021 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

While refusing the prayer for bail vide order dated 31.01.2020 passed in Cr. Misc. No.5044 of 2020 by this Court, the court below was directed to expedite the trial and conclude the same within a period of six months from the date of receipt/production of a copy of the order but the trial has not yet been concluded.

Perused the report of 6th Additional District Judge, Siwan dated 1st of February, 2021. The report of the Additional District Judge appears to be not satisfactory.

Considering the fact that trial has not been concluded as per direction issued by this Court vide order dated 31.01.2020



passed in Cr. Misc. No.5044 of 2020, the court below is directed to conclude the trial on day-to-day basis within a period of four months from today. In the event the accused persons, who are on bail, are creating hurdles in conclusion of the trial, the court below shall be at liberty to cancel their bail bonds.

Superintendent of Police, Siwan is directed to ensure examination of all the prosecution witnesses so that the trial is concluded within a period four months from today failing which the court below shall release the petitioner on bail on appropriate terms and conditions and submit failure report for not following the observations made by this Court hereinabove before Registrar (Vigilance) of this Court.

The application stands disposed of.

Let a copy of this order be communicated to the Registrar (Vigilance) of this Court for appropriate action.

(Anil Kumar Upadhyay, J)

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