

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52619 of 2019**

Arising Out of PS. Case No.-52 Year-2017 Thana- NARDIGANJ District- Nawada

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SANJAY SINGH Son of Hari Prasad Singh @ Hari Prasad Resident of
Village - Nardiganj, P.S.- Nardiganj, Distt - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

6 04-10-2021 Heard learned counsel for the parties.

The instant application has been preferred for grant of regular bail in a case registered under sections 304B of the Indian Penal Code.

As per the prosecution case, information was received by the informant from his son-in-law, the petitioner herein that his daughter had fallen of the roof of the house. It is stated that the accused persons were making demand of Rs. 50,000/- and also assaulted the informant's daughter.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 25.6.2018 (Annexure-1). In spite of the petitioner being in custody since 26.7.2017, the trial is still continuing only for non appearance of the Investigating Officer of the case



as a prosecution witness.

The prayer for bail is opposed by learned APP for the State.

A report was called for from the learned trial court. As per the report received contained in letter dated 18.9.2021, six out of the seven chargesheet witnesses have been examined and only the Investigating Officer, namely, Manoj Kumar, A.S.I., Nardiganj P.S., Nawada, has not been examined because he has not turned up to depose in the trial.

Having heard learned counsel for the parties and in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In case the Investigating Officer of the case mentioned above has already not been examined in connection with Sessions Trial no. 52 of 2018 (Nardiganj P.S. Case no. 52 of 2017) pending in the Court of Addl. District & Sessions Judge 1st, Civil Court, Nawada, the Superintendent of Police, Nawada, shall ensure his presence on the next date fixed in the trial and shall take all necessary coercive steps for his appearance.

Learned trial Court is directed to concluded the trial within four months of receipt of a copy of this order.



Let a copy of this order be communicated to
Superintendent of Police, Nawada, for it due compliance.

(Partha Sarthy, J)

Spd/-

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