

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3702 of 2022

Arising Out of PS. Case No.-147 Year-2019 Thana- RAFIGANJ District- Aurangabad

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UMER ALAM S/o Zubair Ahmad @ Jubair Alam @ Jubair Ahmad R/o
village- Bela, P.S.- Belaganj, Distt.- Gaya, At present R/o village- Kali
Asthan, Dest Spoken Care Point Coaching Centre, Babuganj, P.S.- Rafiganj,
Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 30-03-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a
case registered under section 366 of the Indian Penal Code.

As per the prosecution case, the petitioner who was
running a coaching centre is said to have kidnapped the
daughter of the informant who is still said to be traceless.

It is submitted by learned counsel for the petitioner
that the earlier application for bail of the petitioner was rejected
vide order dated 10.8.2021 (Annexure-1) passed in Cr. Misc.
no.13530 of 2021. It is submitted that in course of investigation
it was transpired that daughter of the informant is living in Delhi
and her whereabouts is known to the informant. He has also
assured that as and when she visits next he would get her



statement recorded. The petitioner has remained in custody since 23.11.2019.

Heard learned A.P.P. for the State.

A report was called for from the learned trial Court with respect to the stage of trial. As per the report contained in letter dated 5.3.2021 of the Additional District and Sessions Judge-15, Aurangabad, four out of the five witnesses mentioned in the chargesheet have been examined and only the Investigating Officer of the case remains to be examined. The next date fixed in the case was 22.3.2022.

In view of the facts of the case as also in view of the daughter of the informant still being traceless and the progress in the trial in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Only the Investigating Officer of the case remaining to be examined in the trial, learned trial Court is directed to expedite the trial and conclude the same at the earliest preferably within a period of three months from the communication of the order.

The Superintendent of Police, Aurangabad shall ensure the presence/appearance of the Investigating Officer of the case in the trial on the next date fixed, if he has not already



been examined.

(Partha Sarthy, J)

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