

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13034 of 2022

Arising Out of PS. Case No.-150 Year-2017 Thana- ARA NAWADA District- Bhojpur

Mamlesh Singh @ Mamlesh Kumar Singh @ Mamlesh Pratap Singh, aged about 30 years, Male, S/o Jai Kishore Singh, Resident of Village- Mahuli, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vindhya Keshri Kumar, Sr. Advocate Mr. Ajay Kumar Singh, Advocate
For the Informant	:	Mr. Dharendra Singh, Advocate
For the State	:	Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 31-08-2022 Heard Mr. Vindhya Keshri Kumar, learned senior counsel along with Mr. Ajay Kumar Singh, learned counsel appearing on behalf of the petitioner, Mr. Dharendra Singh, learned counsel for the informant and Mr. Ganesh Prasad Singh, learned A.P.P. for the State.

Mr. Vindhya Keshri Kumar, learned senior counsel submits that vide order dated 24.02.2021 passed in Criminal Miscellaneous No. 74734 of 2019, this Court had directed to conclude the trial within a period of one year from the date of receipt of the order after proper consideration of the facts and evidences in course of hearing of the said bail application.

Petitioner has renewed his bail application after the



aforesaid period and the trial has not been concluded.

This Court being conscious of the fact that petitioner is an under trial and his life and liberty cannot be jeopardized in want of any reasonable reason for the trial being not taking place expeditiously which is not within the reach of the Court below.

It appears that almost one year and six months have elapsed from order dated 24.02.2021 but the trial Court has failed to conclude the trial and from the report submitted before this Court vide Letter No. 485 dated 15.07.2022 of the learned Additional District and Sessions Judge-17, Ara, Bhojpur only six witnesses have been examined.

Taking into consideration the specific order passed by this Court on 24.02.2021 in Criminal Miscellaneous No. 74734 of 2019, this Court directs the Court below to positively conclude the trial within a further period of nine months.

The Superintendent of Police, Bhojpur is directed to produce all the witnesses on the date fixed by the trial Court without fail.

If the prosecution fails to appear on any date for any reason other than compelling reason and the inability of the Superintendent of Police due to some administrative cause, the



petitioner is at liberty to renew his prayer for bail after the
aforesaid period.

Accordingly, the present bail application stands
disposed of.

(Purnendu Singh, J)

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