

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32913 of 2021

Arising Out of PS. Case No.-210 Year-2019 Thana- DHAKA District- East Champaran

SABIR KHAN S/o Wajul Haque Khan Resident of Village- Virta Tola,
Dhaka, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

The allegation against the petitioner is of having given a knife blow to the husband of the informant who subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 20.12.2019 passed in Cr. Misc. no.84875 of 2019 and order dated 13.10.2020 passed in Cr. Misc. no.20902 of 2020. In spite of the petitioner being in custody since



22.6.2019 and direction of this Court to expedite the trial, the trial is still continuing and there is no chance of the same concluding in the near future. It is submitted that the petitioner shall cooperate in the trial. He may be enlarged on bail.

A report was called for from the learned trial court. From the report received contained in letter dated 26.8.2021 of the 12th Additional District and Sessions Judge, East Champaran, Motihari, seven out of the ten chargesheet witnesses have been examined and all the three witnesses who remain to be examined are two doctors and one is the Investigating Officer.

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

In view of the allegations against the petitioner of being assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial and to conclude the same within four months from the date of receipt/communication of this order.

It is further directed that the Superintendent of Police, East Champaran, Motihari shall ensure the appearance of the remaining three prosecution witnesses, all of them being official witnesses, two being doctors and one being



Investigation Officer of the case and the learned trial court shall expeditiously conclude the trial by taking up the evidences of the witnesses on day to day basis.

(Partha Sarthy, J)

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