

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28003 of 2022

Arising Out of PS. Case No.-144 Year-2021 Thana- BANGAWON District- Saharsa

Mithu Yadav @ Mithu Kumar @ Mithilesh Yadav, Son of Late Hari Yadav
Resident of Village - Rahuwamani, P.s.- Bangaon, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2022 Heard Mr. Abhishek, learned counsel for the
petitioner and Mr. Nawal Kishore Prasad, learned A.P.P. for the
State.

Mr. Abhishek, learned counsel for the petitioner submitted that taking into consideration nature of allegation made under Section 394 of the Indian Penal Code involvement of the petitioner in criminal cases this may direct the learned Court below to conclude the trial within any reasonable period of time.

Learned A.P.P. has no objection to above submission made on behalf of the petitioner.

Considering the aforesaid submission made on behalf of the petitioner and taking into consideration the criminal record of the petitioner, without going into the merits of the case, this Court directs the learned Court below to conclude the



trial well within the period of nine months. The petitioner has remained in custody since 14.12.2021. The Court below must be conscious of the fact that the vital right of the petitioner under Article 21 of the Constitution of India cannot be defeated just for the reason that no considerable progress has taken place in the conduct of trial.

The Superintendent of Police, Saharsa is directed to produce the prosecution witnesses on the date fixed by the learned trial Court.

With above observation, the application filed on behalf of the petitioner stands disposed of.

(Purnendu Singh, J)

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