

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38666 of 2023

Arising Out of PS. Case No.-10 Year-2020 Thana- MAHILA P.S. District- Patna

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BINAYAK @ BINAYAK KUMAR SINGH @ VINAYAK @ VINAYAK
KUMAR SINGH @ BINAYAK SINGH Son of Awadhesh Kumar Singh
Resident of Flat no. 302, Shayama Manali Apartment, Jagdeo Path, P.S. -
Hawai Adda, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt of the petitioner to approach before this Court for bail. Earlier, vide order dated 24.06.2021 passed in Cr. Misc. No. 21474 of 2021 and order dated 18.05.2022 passed in Cr. Misc. No.10988 of 2022, the prayer for bail of the petitioner was rejected.

3. Vide order dated 05.07.2023, a report was called for from the learned Court below regarding the stage of the trial and the time likely to be taken in conclusion of the trial. In compliance thereof, a report dated 11.07.2023 has been sent by the learned A.D.J.-I, Patna, which is at Flag 'R' to this application. In his report, the learned Judge has, *inter alia*,



stated that out of 14 witnesses, only 4 witnesses have been examined till date. Bailable warrants have already been issued against rest unexamined prosecution witnesses but no one has turned up as yet. If both parties co-operate, the trial may be concluded within nine months.

4. Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby once again rejected.

5. However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of this order and Senior Superintendent of Police, Patna is directed to ensure production of the witnesses in the case on each and every date fixed without fail, failing which this Court may take serious view of the matter.

6. Let a copy of this order be communicated to Senior Superintendent of Police, Patna by fax for needful.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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