

Arising Out of PS. Case No.-77 Year-2018 Thana- JAMOBASAR District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar, Adv.
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 13-10-2023 1. The present petition is by way of fifth attempt, at the behest of the petitioner for grant of bail in connection with Jamo Bazar P.S. Case No.77 of 2018, for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

2. As per the case of the prosecution, specific allegation has been levelled against the petitioner of having assaulted the deceased, resulting in his death.

3. The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 08.06.2018 and is aged about 78 years old, hence a sympathetic view be taken.



4. This Court, by an order dated 05.07.2023, had called for a report from the learned Court of Additional Sessions Judge-VII, Siwan, with regard to the present stage of the connected Sessions Trial No.508 of 2018, in response whereof, a report dated 10.07.2023, has been received, wherein it has been stated that five out of 7 non-official witnesses have been examined and an endeavor is being made to examine the rest of the witnesses.

5. At this juncture, the learned counsel for the petitioner submits that five witnesses were examined about 1¹/₂ years back and since then there has been no progress whatsoever, in the on going trial.

6. In view of the aforesaid, this Court directs the learned Trial Court to ensure completion of the trial within a period of six months from today and further grants liberty to the learned Trial Court to take coercive action, including punitive action against the defaulters, in case the witnesses do not turn up, to ensure their attendance. Nonetheless,



this Court also grants liberty to the petitioner to renew his prayer for bail, in case the trial is not concluded, within a period of six months from today.

7. Accordingly, the present petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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