

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40076 of 2023

Arising Out of PS. Case No.-118 Year-2017 Thana- LALGANJ District- Vaishali

Sonu Kumar Singh @ Sonu Kumar Son of Arun Singh Resident of Village -
Kanti, P.S.- Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Binod Kumar Bariar, Advocate Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Md. Iftekhhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 01-03-2024 Heard Mr. N.K. Agrawal, learned senior counsel assisted by Mr. Binod Kumar Bariar, learned counsel appearing on behalf of the petitioner and Mr. Md. Iftekhhar Mahmood, learned A.P.P. for the State.

2. In view of order dated 02.02.2024, a report dated 08.02.2024 has been sent by the learned Additional District and Sessions Judge-III, Vaishali at Hajipur informing that till date, the prosecution has not been able to examined even a single witness, however, learned trial court has ensured to conclude the trial within a period of nine months.

3. Considering the aforesaid information given by the learned trial court, this Court finds that the life and liberty of a citizen cannot be denied as the Fundamental Right granted



under Article 21 ensures that personal liberty of a citizen must not be impeded only for the reason that even a single witness has not been examined. Learned trial court must conclude the trial within a period of six months by holding day to day trial without fail.

4. The Superintendent of Police, Vaishali at Hajipur is directed to find out the whereabouts of the witnesses and depute a police officer not below the rank of Deputy Superintendent of Police, as well as, the Investigating Officer of the case, so that they must not fail to produce the prosecution witnesses on each date of trial without fail.

5. In case of any deliberate inaction reported to this Court, this Court will direct to take appropriate disciplinary action against the erring police officer.

6. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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