

ITEM NO.50

COURT NO.9

SECTION II-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (CrI.) No(s). 3883/2017

(Arising out of impugned final judgment and order dated 21-03-2017 in CRLM No. 9071/2017 passed by the High Court Of Judicature At Patna)

SUMAN KUMAR

Petitioner(s)

VERSUS

HOME DEPARTMENT PRINCIPAL SECRETARY &amp; ANR.

Respondent(s)

WITH

Diary No(s). 17074/2017 (II-A)

(IA No.64117/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.64115/2017-EXEMPTION FROM FILING O.T. and IA No.64108/2017-PERMISSION TO FILE SLP and IA No.64114/2017-CONDONATION OF DELAY IN REFILEING)

Diary No(s). 22902/2017 (II-A)

(IA

FOR PERMISSION TO FILE SLP/TP ON IA 70230/2017

FOR EXEMPTION FROM FILING O.T. ON IA 70233/2017

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 70238/2017)

SLP(CrI) No. 6798/2017 (II-A)

(FOR ADMISSION and I.R. and IA No.79949/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.79948/2017-EXEMPTION FROM FILING O.T.)

Date : 11-01-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Pranab Kumar Mullick, AOR  
Mr. Biswaranjan Kumar, Adv.  
Ms. Soma Mullick, Adv.  
Mr. Sebat Kumar Deuria, Adv.

For Respondent(s) Mr. Sobodh Kr. Pathak, Adv.  
Mr. Shashi Ranjan, Adv.  
Mr. Pawan Kumar Sharma, Adv.  
Mr. B. Patnaik, Adv.  
Mr. Dharmendra Kumar Sinha, AOR

Ms. Pranita Shekhar, Adv.

Ms. Abha R. Sharma, AOR  
Mr. D.S. Parmar, Adv.  
Ms. Sujeeta Srivastava, Adv.

Mr. Abhinav Mukerji, AOR  
Mr. Pratishtha Vij, Adv.  
Ms. Bihu Sharma, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

In this case, out of five accused who have sent for trial, four accused were released on bail under the orders passed by the High Court. We have been informed that the 5<sup>th</sup> accused was also released on bail later.

It is admitted that charges have been framed in the matter and out of eleven witnesses cited in the charge-sheet, three witnesses are injured eye-witnesses.

The grievance of the petitioner is that after having secured release on bail, the respondent-accused have not been appearing on relevant dates before the trial court, as a result of which the matter is getting adjourned every time.

Though, we do not deem it appropriate to interfere with the order granting bail, we pass the following directions:-

(I) since the charges have been framed, we direct the trial court to take up the matter and conclude the proceedings within six months from today.

(II) On every date, the respondent-accused shall

appear before the trial court. In case there is any failure, the bail granted in their favour, shall stand cancelled.

(III) In case, the complainant's side makes a representation for appropriate police protection, such request shall be considered by the Police.

The special leave petitions are disposed of with aforesaid directions.

Pending applications, if any, shall also stand disposed of.

(INDU MARWAH)  
COURT MASTER

(SUMAN JAIN)  
BRANCH OFFICER