

**THE CODE OF CRIMINAL PROCEDURE (EXCERPT)**  
**Act 175 of 1927**

**767.38 Indicttee; right to trial or admission to bail.**

Sec. 38.

Every person held in prison upon an indictment shall, if he require it, be tried at the next term of court after the expiration of 6 months from the time when he was imprisoned, or shall be bailed upon his own recognizance, unless it shall appear to the satisfaction of the court that the witnesses on behalf of the people have been enticed or kept away, or are detained and prevented from attending court by sickness, or some inevitable accident.

**History:** 1927, Act 175, Eff. Sept. 5, 1927 ;-- CL 1929, 17252 ;-- CL 1948, 767.38

**Former Law:** See section 30 of Ch. 163 of R.S. 1846, being CL 1857, Å§ 6039; CL 1871, Å§ 7908; How., Å§ 9519; CL 1897, Å§ 11904; and CL 1915, Å§ 15731.