

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8161 of 2018

Arising Out of PS.Case No. -3 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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1. Mritunjay Mandal, S/o Fagu Mandal @ Yogu Mandal, R/o Village-
Rasulla, P.S.- Shahkund , District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Shahkund P.S. Case No.03 of 2017 giving rise to Sessions Trial No.445 of 2017** instituted for the offence under Section(s) 147, 148, 149, 323, 324, 307 and 302 Indian Penal Code pending in the Court of the **1st Additional Sessions Judge, Bhagalpur.**

Prayer of the petitioner for bail was earlier rejected by this Court by order dated 21.06.2017 passed in Cr. Misc. No.20811 of 2017 with liberty to renew the prayer after six months, if no substantive progress is made in the trial.

A report was called for from the Trial Court, which has been received, wherein, it has been mentioned that out of nine witnesses, eight witnesses have been examined in the case.



The Trial Court has mentioned in the report that the trial is likely to be concluded within six months. It is mentioned in the report that the case is, at present, in vacant Court.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is once, again, **rejected**.

The Sessions Judge, Bhagalpur, is directed to immediately transfer the case to a running Court if the same is still in vacant Court.

The Court below is directed to make efforts to conclude the trial within a period of six months as mentioned in the report.

Liberty is given to the petitioner to renew his prayer for bail in the Court below itself in the event trial is not concluded within the aforesaid period, which shall be considered and disposed off in accordance with law and Trial Court will assign reason in the order for not concluding the trial within the aforesaid time.

(Sanjay Priya, J)

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