

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19654 of 2018

Arising Out of PS.Case No. -458 Year- 2013 Thana -WAJIRGANJ District- GAYA

=====

Jittu Manjhi, S/o Late Jethu Manjhi, R/o Mohalla- Bhindush, P.S.-
Wazirganj, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party : Mr. Anant Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
19.10.2013 in a case registered for the offence under Sections 302
and 120(B)/34 of the IPC.

It is alleged that this petitioner inflicted knife blow
causing injury on the chest of the informant's husband as a result
of which, he died.

This is third attempt on behalf of the petitioner for
grant of bail.

Earlier bail application of the petitioner was rejected
vide Cr. Misc. No. 19588 of 2016 dated 26.05.2016 taking into
account that the petitioner had given knife blow on the chest of the



deceased and due to the said injury, he succumbed to death. While rejecting earlier bail application of the petitioner, learned court below was directed to conclude the trial preferably within a period of six months from the date of receipt/production of copy of the order. Thereafter, on the request made by the learned court below a further time of nine months was granted for concluding the trial.

A report was called for from the court below regarding the stage of the case. It has been reported that this case is pending for appearance of one accused Reeta Devi. As soon as accused Reeta Devi appears in the court, the evidence would be recorded. It is further reported that the trial would be concluded within a period of five months if the prosecution as well as counsels for defence co-operates in disposal of the case.

Considering the nature of allegation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Wazirganj P.S. Case No. 458 of 2013 (Sessions Trial No. 22 of 2017/227 of 2014/220 of 2014), pending in the court of learned Additional Sessions Judge-IX, Gaya.

The court below is directed to take all necessary steps to proceed with the trial in accordance with law and conclude the same within a period of five months from the date of receipt/production of copy of this order.



The District Magistrate, Gaya and the Senior Superintendent of Police, Gaya are directed to ensure that the remaining prosecution witness/witnesses are produced on the date fixed by the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Gaya and the Superintendent of Police, Gaya.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

