

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21942 of 2019**

Arising Out of PS. Case No.-156 Year-2015 Thana- DAUDNAGAR District- Aurangabad

Arbind Kumar, Son of Rajdeo Singh Resident of Village - Karma Kala, P.S.-
Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Kant Mishra

For the Opposite Party/s : Mr. Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 24-04-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 147, 148 and 302 of the Indian Penal Code.

Without entering into the merit of the case,
learned counsel for the petitioner submitted that the petitioner
happens to be army personnel and he surrendered before the
learned lower court on 26.07.2017 taking leave from the
department. But after giving some extension now Army
Headquarters is not ready to extend any further leave to the



petitioner resultantly he has to report on duty else he will be dismissed from the service. Hence he may be enlarged on bail.

On the other hand, learned counsel for the informant and learned APP for the State vehemently opposing the bail petition submitted that earlier bail petition of the petitioner has been rejected thrice by this Court. Citing the letter no. 42/2019 dated 12.04.2019 of the learned lower court, he has further submitted that out of eleven witnesses, seven witnesses including the doctor, I.O. and the informant have been examined by the prosecution and the case is going to be disposed of with all possibility within one month. Earlier bail petition of the petitioner was rejected on 20.02.2019 with direction to the learned lower court to conclude the trial within four months, but the aforesaid time given by the Court has not yet expired, hence the bail petition is premature and petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial positively within two months from the date of receipt/production of a copy of this order and both the



parties are directed to extend all sorts of cooperation in
conclusion of the trial within the stipulated period.

(Prakash Chandra Jaiswal, J)

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