

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 77738 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- Hilsa District- Nalanda

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Sujeet Kumar @ Amit Kumar Son of Chandrika Yadav Resident of village -
Kachhiyawan, Police Station- Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

Mr. Birendra Kumar

For the Opposite Party/s : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 06-02-2019 Sri Birendra Kumar, learned counsel submits that petitioner has handed over *vakalatnama* after obtaining ‘No Objection’ from Sri Vibhuti Ranjan Sonvadra, learned counsel, who has filed *vakalatnama* on behalf of the petitioner. Sri Sonvadra is also present in Court. Sri Birendra Kumar, learned counsel intended to file fresh *vakalatnama* on behalf of the petitioner.

The Court is of the opinion that in High Court, learned counsel may avoid to accept *vakalatnama* after no objection, being obtained from earlier counsel, particularly; if a case is already on board. However, Sri Sonvadra, learned counsel, who had earlier filed *vakalatnama*, submits that he has got no objection, if it is argued by a new counsel.

In presence of Sri Sonvadra, learned counsel, Sri Birendra Kumar, learned counsel for the petitioner submits that



petitioner has already remained in custody for more than one year on an allegation of recovery of loaded pistol and one live cartridge of .315.

This is 2nd attempt for grant of bail. Earlier, on 07-05-2018, vide Cr. Misc. No. 26961 of 2018, the prayer for bail of this petitioner was rejected.

By order dated 16-01-2019, a report was called for from the court below regarding stage of the case, which has been received and kept at flag 'A'. The report, vide letter no. 18 dated 01-02-2019 sent by learned A.C.J.M., Hilsa (Nalanda) makes it clear that after closer of prosecution evidence, statement of accused under Section 313 of the Cr.P.C. has already been recorded. Meaning thereby that trial is almost complete.

Accordingly, there is no need to pass favourable order. The prayer for bail stands rejected.

However, while dismissing, it is necessary to observe that the learned trial court may take appropriate step so that the case may finally come to its conclusion without unnecessary delay.

(Rakesh Kumar, J.)

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