

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4850 of 2020**

Arising Out of PS. Case No.-112 Year-2016 Thana- BEERPUR District-
Begusarai

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SHAIVDANI SAHNI @ SHIVDANI SAHNI Son of Late Dilchand Sahni
Resident of Village- Nonpur, P.S.- Teghra, Distt- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kumar Sinha, Advocate.
For the State : Mr. Chandra Bhushan Prasad, APP
For the Informant : Mr. Amit Kr. Anand, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 02-07-2020 Heard learned counsel for the petitioner, learned
counsel for the Informant as well as learned APP for the State
through video conference.

2. This is the 3rd attempt of the petitioner for grant of
bail, who is in custody since 16.12.2016 in connection with
Sessions Trial No. 164 of 2017, arising out of Birpur P.S. Case No.
112 of 2016 for the offences alleged under Sections 302/34 of
the Indian Penal Code having earlier been rejected twice by this
Court by order dated 19.08.2017 in Cr. Misc. No. 30513 of 2017,
by order dated 27.02.2019 in Cr. Misc. No. 8616 of 2019.

3. Learned counsel for the petitioner invites reference
to the order dated 09.06.2020 calling for an up-to-date status



report with respect to the trial. It is stated that for the past about six months, the trial has not proceeded. The petitioner's case stands on better footing than co-accused Ram Kishun Sahni who is said to have fired on the right cheek of the deceased, as the petitioner is said to have fired on the shoulder. The said co-accused Ram Kishun Sahni has been granted bail by this Court in Cr. Misc. No. 23816 of 2019. So also, another co-accused Gopal Sahni who fired on the right palm of the deceased has been granted bail by this Court in Cr. Misc. No. 19953 of 2017. The petitioner has already suffered custody for about four and half years since 16.12.2016.

4. Learned APP assisted by learned counsel for the informant appears and have been heard. It is stated that the status report dated 22.06.2020 received from the learned court below discloses that prosecution and defence evidence have been closed and the matter is going for final argument of defence side. It is further stated that the petitioner is accused in as many as six prior cases of serious nature.

5. Having heard the parties, this Court is not inclined to grant the privilege of bail to the petitioner at this stage, having regard to the advanced stage of trial.

6. The petition is accordingly disposed of with the observation that the learned trial court will conclude the trial expeditiously and in any event within a period of six months



hereof. If the trial is not concluded within the stipulated time, the
petitioner shall be at liberty to renew his prayer for bail.

(Vikash Jain, J)

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