

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14274 of 2020**

Arising Out of PS. Case No.-151 Year-2012 Thana- KUDHNI District- Muzaffarpur

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Bhrat Sahni @ Bharat Sahni S/o Late Ram Singar Sahni R/o Chikni Ward No.  
9 Kudhani, Padmaul, P.S. - Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amit Kumar Rakesh, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

3      06-07-2020                      Heard learned counsel for the petitioner and learned  
APP for the State through video conferencing.

The petitioner who is in custody since 13.6.2018  
has filed the instant application for grant of regular bail in  
connection with Kudhani P.S. Case no. 151 of 2012 registered  
under sections 302, 307, 324 and 34 of the Indian Penal Code  
and section 27 of the Arms Act.

As per allegation in the FIR, the petitioner is stated  
to have fired on the deceased causing his death.

It is submitted by learned counsel for the petitioner  
that the application for bail of the petitioner was earlier rejected  
on two occasions vide orders dated 30.11.2018 and 4.9.2019 as  
contained in Annexure 1 series. It is further submitted that the  
petitioner is in custody since 13.6.2018 and except for the three  
prosecution witnesses who have been examined, no prosecution



witness is turning up in spite of all steps being taken by the learned Court below. As such it is submitted that there is no chance of the trial concluding in the near future.

A report was called for from the Court below with respect to the stage of trial, which have been received. As per the report contained in letter no. 319/2020 dated 18.6.2020 of the 8<sup>th</sup> Additional District and Sessions Judge, Muzaffarpur, till date four prosecution witnesses out of 13 charge sheeted witnesses and one added witness on request of the prosecution have been examined and discharged.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the fact that there is direct allegation against the petitioner, the Court is not inclined to enlarge the petitioner on bail and as such his application for bail is rejected.

However, the learned Court below is directed to expedite the trial.

**(Partha Sarthy, J)**

Prakash/-

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