

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17324 of 2020

Arising Out of PS. Case No.-34 Year-2019 Thana- JANDAHA District- Vaishali

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1. MANISH KUMAR Son of Lakki Yadav Resident of Village - Naya Tola, Rohtara, P.S.- Rohtara, Distt - Katihar.
 2. Mahendra Kumar Yadav Son of Ajeet Yadav Resident of Village - Naya Tola, Rohtara, P.S.- Rohtara, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Shankar Prasad Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 26-06-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Jandaha P.S. Case No. 34 of 2019 for the offence under Sections 392, 411 and 414 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that earlier the prayer for bail of these petitioners had been rejected by a co-ordinate Bench of this Court vide order dated 17.08.2019 passed in Cr. Misc. No. 41488 of 2019 with a direction to the learned trial court to conclude the trial within a period of six months from the date of order. Almost ten months have passed but the trial of this case has not been concluded despite the order of this Court. Not only that it is reported to this Court by the learned the trial Court that case is still pending for evidence before a vacant Court



which is crystal clear from the report received from the A.C.J.M., Vaishali at Hajipur at Flag-R. Therefore, the trial of the case is not likely to be concluded in near future and the petitioners are rotting in judicial custody since 23.02.2019.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that looted money of Rs. 361,000/- have been recovered from the possession of the petitioners and they have got criminal antecedents also.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioners on bail and accordingly, the prayer for bail of these petitioners is rejected.

However, it is expected from the learned Sessions Judge, Vaishali at Hajipur that he will transfer all such trials in which the accused is in custody and are pending before a vacant Court to the regular Court.

Further, the learned trial court is directed to conclude the trial positively within a period of six months from the date of this order without any further delay.

(Arvind Srivastava, J)

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