

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26989 of 2020

Arising Out of PS. Case No.-20 Year-2018 Thana- BHAIKAVSHTHAN District- Madhubani

Ranjay Yadav Son of Shivdhari Yadav Resident of Village - Olipur, P.S. -
Bhairavsthan, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-12-2020 Heard Mr. Rama Kant Sharma, learned Senior
Advocate for the petitioner and the learned APP for the
State.

The petitioner seeks bail in connection with
Sessions Trial No. 381 of 2018, arising out of
Bhairavsthan P.S. Case No. 20 of 2018 dated
06.03.2018 instituted for the offences under Sections
147, 148, 149, 341, 326, 302 and 120B of the Indian
Penal Code.

The prayer for bail of the petitioner was earlier
rejected vide order dated 25.07.2019 passed by Hon'ble
Justice Sanjay Priya, J. as he then was in Cr. Misc. No.
15281 of 2019. However, while rejecting the prayer for
bail, it was observed that the trial be expedited and
concluded within a period of nine months from the date
of receipt of a copy of this order.



This Court had on an earlier occasion called for a report about the stage of the case which report has since been received. The report indicates that the case is still at the stage of 313 Cr.P.C.

Learned Senior Advocate has pointed out that 313 statement of the accused persons was recorded on 05.03.2020 and thereafter the case is pending disposal. He, therefore, submits that the petitioner be granted bail in accordance with the observation granted by this Court in the first occasion when the petition for bail was dismissed.

Regard being had to the fact the 313 statement of the accused persons have already been recorded, I am not inclined to grant bail to the petitioner for the present.

The prayer for bail is rejected.

However, the trial court is directed to conclude the trial positively within a period of three months. If the same is not concluded for any reason, the petitioner would be at liberty to approach the trial court for grant of bail by annexing a copy of this order and in that event, the trial court shall record the reasons for the tardy progress of the trial and shall also account for the delay in conclusion of trial when the 313 statement of the accused persons were recorded on 05.03.2020. If



the delay is not attributable to the petitioner, he shall be released on bail by the court below.

(Ashutosh Kumar, J)

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