

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32920 of 2020

Arising Out of PS. Case No.-379 Year-2018 Thana- ATRI District- Gaya

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Anil Chaudhary S/o Mithai Chaudhary @ Rameshwar Chaudhary, resident of
Village- Punar, P.S.- Atri, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ravindra Kumar Sinha, Adv.

For the Opposite Party : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 15-12-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State via video

conferencing.

2. The petitioner has filed the present

application under Sections 439 and 440 of the Code of Criminal

Procedure for grant of bail in connection with Atri P.S. Case

No.379 of 2018 registered under Section 302/120-B/34 of the

Indian Penal Code and Section 27 of the Arms Act.

3. Considering the allegation made in the FIR

that soon after taking the husband of the informant by the

petitioner and one Ram Balak Manjhi, he was shot dead, I am

not inclined to grant him bail. The application for grant of bail is

rejected.



4. As the petitioner is in judicial custody since 18.01.2020, the learned Chief Judicial Magistrate, Gaya is directed to commit his case to the court of session for trial forthwith. Once the case is committed to the court of sessions, the learned Session Judge, Gaya shall be required to ensure that the charges are framed without any delay and trial is held expeditiously, preferably within ten months.

5. In case, the trial is not concluded within 10 months from the date of framing of charge, the petitioner would be at liberty to renew his prayer for bail before the court below itself.

6. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Senior Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the



Senior Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.

- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Senior Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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