

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24610 of 2020

Arising Out of PS. Case No.-566 Year-2018 Thana- BIHARSHARIF District- Nalanda

MD. ASLAM Son of Md. Haidar Ali @ Nanhu Resident of Village/ Mohalla-
Chhaju Chandni Tola, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh

For the Opposite Party/s : Ms Meena Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Bihar P.S. Case no. 566 of



2018 instituted for the offence under Section(s) 341,323,307,504 and 302/34 of the Indian Penal Code.

The petitioner is the main accused of causing death of informant's brother.

Earlier, the prayer for bail of the petitioner was rejected on 02.09.2019 in Cr. Misc. no. 40172 of 2019. This Court, while rejecting his prayer had directed the trial court to expedite the trial as early as possible and preferably within six months and allowed the petitioner liberty to renew his prayer for bail if the time lapsed. It is, under these circumstances, that prayer has been renewed. The Additional Sessions Judge, VI, Nalanda, while rejecting the petitioner's prayer for bail on 30.3.2020 has recorded in his order that the case was fixed for argument and that there is every likelihood of pronouncement of judgment within two months. Pandemic on account of COVID 19, and lockdown appears to have delayed the conclusion in the meantime. This Court in the circumstances, would direct the trial Court to expedite the argument by resorting to a mode agreeable between the parties and convenient to the court which may include argument through virtual mode exercising, its own judicial discretion in the matter at the earliest.

Prayer for bail is rejected, for the present, with



expectation that petitioner’s counsel would fully cooperate in disposal of the trial at the earliest. It is made clear under any unavoidable circumstances if the trial is not concluded within a period of six months, the petitioner would be at liberty to renew his prayer for bail.

(Madhuresh Prasad, J)

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