

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24507 of 2020

Arising Out of PS. Case No.-90 Year-2005 Thana- KHIJARSARAI District- Gaya

AKHILESH MANJHI, Son of Bishu Manjhi, Resident of Village- Narawat,
P.S. Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Anil Pd. Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 324, 307 of the Indian Penal
Code and 27 of the Arms Act, later on 302 I.P.C. was added.

Prosecution case in brief is that as per FIR, on
31.08.2005 at about 6.00 pm, the informant's mother namely
Sabuja Devi was pacifying the altercation between his uncle and
one Yogendra Manjhi. At that time, petitioner namely Akhilesh
Manjhi made firing as a result of which, his mother sustained
injury on her left abdomen and she fell down then the petitioner
fled away from there. With the help of the villagers, the
informant brought her mother for treatment at Khizarsarai
Hospital.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is in jail custody since 03.12.2019. The petitioner has no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition.

A report was called for vide order dated 02.11.2020 and the same has been received from the court of learned Additional District and Sessions Judge-III, Gaya regarding the stage of trial in Sessions and the same is enclosed at **Flag 'R'** in which it is stated that one witness on behalf of the prosecution was examined and the record is fixed for evidence of rest of the prosecution witnesses. But due to present pandemic, Covid-19 the physical court proceeding is non-functional. In this case summons has already been issued against the witnesses. It is further requested in the report that eight months time may be granted to conclude the Sessions Trial No. 15/2020/46/2020.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Sessions Trial No. 15/2020/46/2020 (Arising



out of Khizarsarai P.S. Case No. 90/2005 pending in the Court
of learned Addl. Sessions Judge-III, Gaya.

Accordingly, this application is dismissed.

The trial court is directed to conclude the trial as
expeditiously as possible preferably within a period of nine
months from today and both the parties are directed to extend
their full cooperation in early conclusion of the trial. If the trial
is not concluded within the stipulated period, the petitioner
would be at liberty to renew his prayer for bail.

(Anjani Kumar Sharan, J)

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