

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25138 of 2020

Arising Out of PS. Case No.-1 Year-2016 Thana- RASULPUR District- Saran

BUCHAN SHARMA @ RAVINDRA SHARMA Son of Late Jagarnath
Sharma, Resident of Village - Rith, P.S.- Ekma, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Ms.Kumari Anupam, Adv.
For the Opposite Party/s : Mr.Anitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-10-2020 Heard Mr. Yogesh Chandra Verma, learned senior
counsel for the petitioner and Mr. Anitesh Kumar, learned APP
through Video Conferencing.

Petitioner seeks bail in Rasulpur P.S. Case No.01 of
2016 registered under Sections 364 and 120B of the IPC. Later
on, Section 302 of the I.P.C. was added.

Learned senior counsel for the petitioner submits that
the prayer for bail of the petitioner was twice rejected by this
court vide order passed in Cr.Misc.No.39070 of 2017 and
Cr.Misc.No.16916 of 2019 but till date there is no progress in
the trial. A report was called for and from perusal of the report,
it would appear that not a single prosecution witness has yet
been examined by the trial court. The petitioner has remained in



jail for about five years. The other accused persons have been granted bail, but I find that of course the petitioner is in jail for about five years but he is accused in as many as 27 criminal cases excluding the present one. The most of the cases are registered under Sections 364A, 302, 394 and different sections of the I.P.C. and the N.D.P.S. Act.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the same is rejected.

The trial court is directed to expedite the trial on day to day basis after Chhath Vacation and conclude the trial within six months after Chhath Vacation.

The Superintendent of Police, Saran at Chapra is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within six months after Chhath Vacation.

The trial court is also directed to report this Court, if on any date, the Superintendent of Police, Saran at Chapra fails to produce the prosecution witnesses and the trial is delayed on account of the fault of the prosecution.

Let a copy of this order be sent to the trial court and the Superintendent of Police, Saran at Chapra for information



and needful.

If the trial is not concluded within six months after
Chhath Vacation, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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