

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25749 of 2020**

Arising Out of PS. Case No.-214 Year-2016 Thana- PATRAKARNAGAR District- Patna

MIRTUNJAY DEV SAKET @ GUNJAN Son of Anil Kumar Resident of Kanti factory Road, Mahatma Gandhi nagar, Near Shivam Vihar Apartment Station- Patrakar Nagar, District- Patna. At present Baxa Saugali, P.S.- Sagauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nivedita Nirvikar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 12-11-2020 Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner has renewed his prayer for regular bail in connection with Patrakar Nagar P.S. Case no. 214 of 2016 registered under sections 304B, 120B and 34 of the Indian Penal Code.

As per the prosecution case the decomposed body of the wife of the petitioner was recovered from his house.

It is submitted by learned counsel for the petitioner that on earlier occasion the application for bail of the petitioner was rejected vide order dated 13.4.2017 (Annexure-1) passed in Cr. Misc. no. 17156 of 2017 directing to expedite the trial and to conclude the same as early as possible. Thereafter once again the prayer for bail of the petitioner was rejected by order dated 25.7.2018 (Annexure-1/1) passed in Cr. Misc. no. 40909 of 2018 with the observation directing the trial Court to conduct the trial



on regular basis and to conclude the same. It is submitted that the petitioner is in custody since 28.7.2016 i.e. for more than four years. Further the arguments in the trial had concluded on 4.3.2020 and the trial was pending for judgment.

By order dated 30.9.2020 a report was called for from the trial Court and the same has been received as contained in letter dated 30.10.2020. As per the report, the arguments of the parties still remain to be made and it has further been stated in the report that the trial is expected to conclude within three months.

In view of the contents of the report dated 30.10.2020 wherein it has been stated that the trial is expected to conclude within three months, the Court is not inclined to enlarge the petitioner on bail and as such the application is rejected.

The learned trial Court is directed to expedite and conclude the trial at the earliest.

Let a copy of this order be communicated to the learned trial Court.

(Partha Sarthy, J)

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