

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.29167 of 2020**

Arising Out of PS. Case No.-223 Year-2019 Thana- PATEPUR District- Vaishali

=====

Rakesh Mahto @ Rajeev @ Rajeev Ranjan, S/o Maheshwar Mahto, Resident
of Village-Malpur Agrail, P.S-Sakra, District-Muzaffarpur. Petitioner
Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 23-12-2020 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Patepur P.S. Case No. 223 of 2019 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

Earlier the prayer for bail was rejected by the learned predecessor court vide order dated 06.02.2020 passed in Cr. Misc. No. 7125 of 2020. On the previous date this Court had called for a report from the learned trial court as to the present stage of the trial and the time likely to be taken in conclusion thereof. The learned trial court was required to briefly state as to how the case was proceeded after the previous order of this Court dated 06.02.2020.

The report at Flag 'A' indicates that because of difficulties being faced in production of the accused from the prison and the circumstances arising out of Pandemic COVID-19 the trial of the



accused could not be concluded as directed by this Court, however, six prosecution witnesses have already been examined and now only two more witnesses are required to be produced. One of them is the Investigating Officer of the case. The learned trial court has requested for four months further time within which the trial would be concluded.

Considering the aforesaid report of the learned trial court and after finding that this petitioner has got huge criminal antecedents, this Court is not inclined to enlarge the petitioner on bail at this stage. Prayer for bail is, thus, refused.

Let the trial be concluded expeditiously and in any case within a period of four months from today. The prosecution shall produce the Investigating Officer on the next date fixed in the matter and thereafter the another prosecution witness be produced on the next date

This application stands disposed of giving liberty to the petitioner to move this Court if the trial is not concluded within a period of four months from today.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

