

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.29658 of 2020**

Arising Out of PS. Case No.-149 Year-2019 Thana- GAYA KOTWALI District- Gaya

Badal Kumar, Son of Bishundev Prasad, Resident of Mohalla - Ramdhanpur,
Dhankuti Gali, P.S.- Kotwali, District – Gaya. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Bakhsi S.R.P. Sinha, Sr. Advocate
Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

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

3 02-12-2020 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four weeks
after start of normal functioning of the Court.

Heard learned Senior Counsel for the petitioner and Ms.
Asha Devi, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain bail
in connection with STR No. 330 of 2019 arising out of Kotwali
P.S. Case No. 149 of 2019 registered for the offences under
Sections 307, 302 of the Indian Penal Code and Section 27 of the
Arms Act.

Earlier this Court had rejected the prayer for regular bail
of the petitioner in Cr. Misc. No. 74064 of 2019 vide order
11.12.2019 after noticing that only two official witnesses had
remained to be examined in connection with this case.

Now the report vide letter no. 493 dated 23.11.2020 has



been received from the court of learned Additional District and Sessions Judge 1st, Gaya. It is stated therein that the Doctor and I.O. have already been examined and approximately three months time may be required for concluding the trial of the case.

Apparently the delay has been caused because of the Pandemic COVID-19, therefore, at this stage when all the prosecution witnesses have been examined and the case is at the fag-end and the learned court below is only looking for three months time for conclusion of the trial, this Court is not inclined to grant bail to the petitioner. This would, however, not prejudice the case of the petitioner and the learned trial court is directed to conclude the trial within a period of three months from the date of receipt/production of a copy of this order.

Since now the courts are opening physically as well as virtually, the learned trial court must give priority to this case.

In case still the trial is not concluded within the aforesaid period, the petitioner may move this Court.

Application Stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

