

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33387 of 2020**

Arising Out of PS. Case No.-32 Year-2019 Thana- RAMGARH District- Kaimur (Bhabua)

DHEERAJ KUMAR SINGH @ DHEERAJ SINGH, S/O Kameshwar Singh
R/o Village Sahuka (Mahuwar), P.S. Ramgarh, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. A.G

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 14-12-2020 Heard Mr. Tribhuwan Narayan Singh, learned

counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with
Sessions Trial No. 118 of 2019, arising out of Ramgarh
P. S. Case No. 32 of 2019, instituted for the offences
under Sections 302 and 34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier
rejected *vide* order dated 21.08.2019 passed in Cr.
Misc. No. 39508 of 2019 by taking into account that
the petitioner is the main assailant of the deceased.

However, the learned counsel for the petitioner
submits that he is in custody since 18.02.2019 and after



framing of the charges in this case on 08.08.2019, seven (7) witnesses have already been examined who have not supported the prosecution version. Two other witnesses are left to be examined but the prosecution, it appears, has given a long rope to the case and is not presenting the aforesaid witnesses for their deposition before the trial court.

Regard being had to the nature of accusation against the petitioner and his being the main assailant of the deceased, I am not inclined to grant bail to him for the present.

However, this Court directs the trial court to expedite and conclude the trial within a period of four months from today as only two witnesses are left to be examined.

In case the trial is not concluded within the aforesaid period and the reason for such non-conclusion of the trial is not attributable to the petitioner, he would be at liberty to approach the trial court for grant of bail



and in that event the court below shall be under an obligation to record the reasons for not completing the trial proceedings even though only two witnesses were left to be examined.

The petition stands disposed off with the aforesaid observation.

(Ashutosh Kumar, J)

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