

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 79786 of 2019

Arising out of PS Case No.-682 Year-2018 Thana-Banka District-Banka

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Bhairo Shankar Thakur, S/o Mukund Thakur @ Photo Thakur, R/o Village-Bhatkundi , P.S.-Banka, District-Banka.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Md. Najmul Hoda, Adv.

For the State : Mr. Manoj Kumar, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

05/- 07.09.2020

Heard Md. Najmul Hoda, learned Advocate for the petitioner and Mr. Manoj Kumar, learned APP for the State.

The petitioner seeks bail in connection with Sessions Trial No. 202 of 2019, arising out of Banka P.S. Case No. 682



of 2018, dated 14.10.2018, instituted for the offences under Sections 302 and 34 of the Indian Penal Code.

Regard being had to the fact that the petitioner is in custody since 15.04.2018, a report was called for about the stage of the trial from the Court below.

The report has not yet been received, but according to the learned counsel for the petitioner, three witnesses have up-till-now been examined.

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

The prayer for bail is accordingly rejected.

However, looking at the period of custody of the petitioner, this Court directs that the trial be expedited and concluded within a period of nine months from the date of receipt/production of a copy of this order.

In case, the trial is not concluded within the aforesaid period, the petitioner would be at liberty to approach the Trial Court and seek bail during the pendency of the trial.



In case such a petition is filed, the Trial Court would be under an obligation to record the reasons for the delay in conclusion of the trial.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J.)

Praveen-II/-

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