

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75061 of 2019

Arising Out of PS. Case No.-40 Year-2018 Thana- KARJA District- Muzaffarpur

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Bashawan Rai, aged about 35 years (Male), Son of Bainathi Rai @ Baidnath Rai Resident of Village- Goriyara, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 03-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Krishna Kant Singh, learned counsel for the petitioner and Mr. Chandra Sen Prasad Singh, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. At the very outset, learned counsel for the petitioner pointed out that earlier when the petitioner had moved this Court for bail in the present case, the same was rejected by order dated 19.09.2018 observing that since charges were framed, trial should proceed.

4. A report was called from the Court below with regard to the stage of the trial and copy of the case diary was



also called for. The same have been received and available with learned APP.

5. From the report received, it transpires that the prosecution has closed its evidence and the trial is now pending for the defence to get its witnesses examined.

6. Learned counsel for the petitioner submitted that a direction be given to the Court below to proceed with the trial on priority basis in view of the prevailing situation where otherwise, it may not proceed.

7. In view of the aforesaid, since the trial is at the stage of examination of defence witnesses and earlier also on 19.09.2018, the Court had declined to grant bail observing that charges have been framed, since the prosecution has closed its case, after having examined its witnesses, the Court is not inclined to grant bail to the petitioner. However, having regard to the overall circumstances, let the Court below expedite the trial on priority basis, and conclude the same, preferably within a period of three months from the communication of this order. The observation is under presumption that from the side of the petitioner there shall be full cooperation, like production of witnesses etc.

8. The application stands disposed off in the



aforementioned terms.

(Ahsanuddin Amanullah, J)

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