

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.85077 of 2019**

Arising Out of PS. Case No.-128 Year-2018 Thana- LAURIA District- West Champaran

AZAD MIAN Son of Late Nazir Mian @ Nazri Mian Resident of Village -
Telpur, Ward No. 7, P.S. - Lauriya, District - West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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

5 01-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Lauriya P.S. Case No. 128 of 2018
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

Perused the report as contained in letter no. 02 dated
02.01.2020 received from the Court of learned Additional
District and Session Judge IX, West Champaran, Bettiah.
According to this report three witnesses have been examined in



course of trial and despite issuance of summon the informant Mumtaz Alam had not appeared to depose in course of trial. The case was fixed for further evidence on 03.01.2020.

Earlier the prayer for regular bail of the petitioner was rejected by learned Coordinate Bench of this Court vide order dated 21.02.2019 passed in Cri. Misc. Case No. 73177 of 2018 therefore, this Court would not enter into the merit of the case at this stage. Since the trial has already begun, this Court is not inclined to grant bail to the petitioner. The trial court is directed to conclude the trial within a maximum period of 6 months from the date of receipt/production of a copy of this order. The trial court shall not keep on adjourning the matter only because the prosecution is not taking interest. It will be incumbent upon the court to take appropriate measures to procure the appearance of the witnesses and thereafter to proceed and conclude the case within the aforesaid period.

This application is 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'.

