

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13574 of 2021

Arising Out of PS. Case No.-142 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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JALESHWAR SAHANI S/o Late Thakuar Sahani R/o Village- Puchariya
Babu Tola, P.S.- Sangrampur, Dist.- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-09-2021 Heard Mr. Dhannjay Kumar No. 2, learned
Advocate for the petitioner and Mr. Anil Kumar, learned
APP for the State.

The petitioner seeks bail in connection with
Sangrampur P.S. Case No. 142 of 2018 dated
19.08.2018 instituted for the offences under Sections
302/34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier
rejected *vide* order dated 11.09.2019 passed in Cr.
Misc. No. 33348 of 2019.

The petitioner has been alleged to have used a
weapon by the name of *Ekari* which is meant for fishing,
for assaulting the deceased on his head from behind.
The other accused persons also are said to have
assaulted the deceased.



The petitioner is stated to be in custody since 20.01.2019.

On the last occasion, this Court had called for a report from the court below about the stage of the case. The report has since been received and it indicates that except for the investigating officer of this case, all other witnesses have been examined.

Under the aforesaid circumstances, though this Court is not inclined to grant bail to the petitioner for the present but considering the period of custody of the petitioner, it is directed that all steps be taken to procure the attendance of the investigating officer of this case for his deposition and conclude the trial positively within a period of four months from the date of receipt/production of a copy of this order. In case the trial is not concluded within the aforesaid period and which delay would not be attributable to the petitioner, he would be at liberty to approach this Court for grant of bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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