

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2040 of 2020

Arising Out of PS. Case No.-130 Year-2018 Thana- DIGHA District- Patna

Sunny Rai @ Sunni Rai @ Sunni Gope @ Sunni Kumar Yadav @ Abdhesh Kumar Son of Nakat Rai @ Rajesh Gope Resident of Village - Digha Road, Patipul, P.S.- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

7 12-04-2021 Heard the parties in virtual Court proceeding.

The petitioner is languishing in custody for the offences punishable under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act in connection with S.T. No.1015 of 2019, arising out of Digha P.S. Case No.130 of 2018.

The petitioner is also one of the assailants of the deceased. Prayer for bail of some other co-accused have been refused by a coordinate Bench of this Court.

Learned counsel for the informant opposed the prayer for bail and submits that all the private prosecution witnesses have already been examined and only official witnesses are yet to be examined. The petitioner has got criminal antecedents.



Considering the fact that the trial is at the verge of conclusion, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail is refused. However, it is made clear that the petitioner is in custody since last more than two years, hence, the trial Judge is expected to take all necessary steps for procuring attendance of the official witnesses to conclude the trial at the earliest.

(Birendra Kumar, J)

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