

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14578 of 2021**

Arising Out of PS. Case No.-77 Year-2019 Thana- NADI P.S. District- Patna

VIKKY KUMAR S/O Sanjay Sah Resident of Village- Kaimashikoh, P.S.-
Chowk, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

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

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

2 23-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter

within four weeks after start of normal functioning of the

Court.

Heard learned counsel for the petitioner and Mr.

Ram Chandra Singh, learned APP for the State.

This is the second attempt of the petitioner to

obtain regular bail in connection with Sessions Trial No.

833 of 2019 (arising out of Nadi P.S. Case No. 77of 2019)

registered under sections 341, 323, 387, 504, 364, 34 of the

Indian Penal Code.

Learned counsel for the petitioner submits that

earlier the petitioner had moved this Court in Cr. Misc No.

61206 of 2019 which was rejected vide order dated



28.11.2019 passed by learned coordinate Bench of this Court. It is further submitted that while rejecting the prayer for bail of this petitioner learned coordinate Bench has observed that the trial be expedited and concluded within a period of one year but till date the trial has not been concluded.

Learned counsel for the petitioner has informed this Court that charges have already been framed, however, the trial has not begun.

Learned APP for the State has opposed the prayer for regular bail by submitting that in this case the petitioner is named as an accused who has allegedly taken away the victim boy and the victim boy is still traceless.

Considering the facts and circumstances of the case particularly that earlier the prayer for bail of the petitioner has been rejected and soon thereafter because of the pandemic situation the courts are not working with full strength and physical functioning are not taking place, this Court is not inclined to release the petitioner on bail only because the trial has not begun within one year.

Considering the present day's pandemic situation, this court directs that as soon as the normalcy gets restored



the learned trial court shall take all endeavours to conclude the trial preferably within a period of six months from the date the learned court below starts functioning physically. For this purpose, shorter date shall be given as the petitioner is in custody since 24.03.2019. If the trial is not concluded within a period of six months as stated hereinabove, the petitioner may renew his prayer for bail.

The application stands 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'.

