

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16672 of 2021**

Arising Out of PS. Case No.-481 Year-2015 Thana- GAYA MUFASIL District- Gaya

BINDU MANJHI @ BAMBU MANJHI Son of Sripati Manjhi Resident of
Village - Iguna, P.S.- Mofassil, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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

3 23-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Sessions Trial No.50 of 2019/279 of 2016

arising out of Muffasil P.S. Case No.481 of 2015 registered for

the offences punishable under Sections 302 and 201/34 of the

Indian Penal Code. He is in custody since 02.11.2016. The

petitioner has got no criminal antecedent.

As per the allegation the body of the deceased along

with the weapon which was used to kill the deceased was found

from the house of the petitioner and he has accepted to have killed the victim on account of the fact that when he entered in the house, the victim was outraging the modesty of his sister.

Learned counsel for the petitioner submits that earlier the prayer for regular bail of the petitioner has been rejected by the learned Predecessor Bench of this Court vide order dated 19.09.2016 passed in Cr.Misc.No.39425 of 2016.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein even though the prayer for bail of the petitioner has been earlier rejected by the learned Predecessor Bench of this Court as back as on 19.09.2016 directing the learned trial court to conclude the trial of the petitioner expeditiously and preferably within a period of one and half years, the fact remains that the trial has not progressed at the desired pace, in the present case charges were framed on 29.08.2016 and till now only nine witnesses have been examined, the report of the learned trial court discloses that four witnesses are still required to be examined and the learned trial court is expecting one year period to be taken in conclusion of the trial, in the opinion of this Court, the learned trial court must keep the records on day

to day basis in this case and all endeavours be made to conclude the trial within a period of six months, if the trial remains unconcluded during this period for no reason attributable to the petitioner, the petitioner shall be released on bail subject to the satisfaction of the learned trial court on such terms and conditions which may be found just and proper.

It appears from the report that the letter has been sent to the S.S.P., Gaya for production of the I.O. and other witnesses for evidence.

Let a copy of this order be also sent to the S.S.P., Gaya to ensure that the I.O. and other witnesses be produced in course of trial on the dates fixed in the matter, otherwise it will be taken as failure of the prosecution in pursuing the matter diligently.

This 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'.