

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 17445 of 2021**

Arising Out of PS. Case No.-199 Year-2017 Thana- TAJPUR District- Samastipur

Manish Kumar, aged about 28 years, Male Son of Jhari Rai @ Deep Lal Rai,  
Resident of village - Darba, PS - Tajpur (Halai), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Zeyaul Hoda, Advocate    |
| For the State        | : | Mr. Jharkhandi Upadhyay, APP |

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 25-08-2021**

The matter has been heard *via* video conferencing.

2. Heard Mr. Zeyaul Hoda, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Tajpur (Halai OP) PS Case No. 199 of 2017 dated 08.07.2017, instituted under Sections 498A and 304B/34 of the Indian Penal Code.

4. This is the third attempt for bail by the petitioner as twice earlier such prayer was rejected by judgment and order dated 19.12.2018 passed in Cr. Misc. No. 67853 of 2018 and



thereafter by judgment and order dated 12.06.2020 passed in Cr. Misc. No. 15530 of 2020.

5. On 04.08.2021, learned counsel for the petitioner had submitted that the merits of the matter had been considered twice earlier and thus, he would pray that the Court may call for a report from the Court below with regard to the position of the trial as the petitioner is totally unaware of the developments.

6. Having regard to the aforesaid stand of learned counsel for the petitioner on 04.08.2021, the Court had called for a report from the Court below with regard to the status of the trial and the likely time by which it can be concluded.

7. Pursuant to the same, a report has been submitted by the 8<sup>th</sup> Additional District and Sessions Judge, Samastipur dated 17.08.2021, in which it has been stated that the prosecution has concluded its arguments on 23.07.2021 and the defence has argued on 28.07.2021, 03.08.2021, 05.08.2021, 11.08.2021 and the next date fixed was 20.08.2021. Further, it has been stated that the trial was likely to be concluded by 30<sup>th</sup> September, 2021.

8. Having regard to the fact that it is now for the defence to conclude its arguments so that the trial Court can deliver final judgment, this Court does not feel that there is any requirement for consideration of prayer for bail of the petitioner,



more so, in view of what has been recorded in the judgments dated 19.12.2018 passed in Cr. Misc. No. 67853 of 2018 and 12.06.2020 passed in Cr. Misc. No. 15530 of 2020, by which twice earlier such prayer of the petitioner was rejected.

9. Accordingly, the petition stands dismissed.

10. Let the Court below ensure that trial is concluded latest by 30<sup>th</sup> September, 2021, as has been indicated in the communication by the concerned Court itself.

11. Registry shall communicate the order to the Court below latest by tomorrow.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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