

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20068 of 2021**

Arising Out of PS. Case No.-181 Year-2019 Thana- BATHNAHA District- Sitamarhi

Md. Asharaf, Son of Md. Zakir, Resident of Village Bhawanipur, Police Station Bathnaha, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 25-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in Bathnaha P.S. Case No.181 of 2019, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

As per FIR, there is allegation against this petitioner and others of assaulting deceased by rod and other weapons, due to which, he become unconscious and later on, he died.

By order dated 06.08.2021, report was called for regarding the stage of the trial and the time likely to be taken in conclusion of the trial. Perused the report kept at Flag 'A'. Learned Additional Sessions Judge-VII, Sitamarhi reported that the case is pending in the stage of recording of statements of the accused u/s 313 Cr.P.C. but due to non-appearance of co-



accused, who are on bail, the statements have not been recorded in the case as yet.

Learned counsel for the petitioner submits that now the statement has been recorded and two or three witnesses have been examined.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

However, learned trial court is directed to expedite the trial and conclude the same within a period of six months from the date of receipt/production of a copy of this order.

The Superintendent of Police, Sitamarhi shall ensure the production of the witnesses in the trial court on the date fixed by the learned court below.

(Anjani Kumar Sharan, J.)

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