

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23188 of 2021

Arising Out of PS. Case No.-320 Year-2017 Thana- MADHUBANI TOWN District-
Madhubani

MD SHAUKAT SON OF MD. JABIR R/O VILLAGE- VAKHRAULI, P.S.-
MADHUBANI TOWN, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 25-08-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Madhubani Town P.S. Case No. 320 of 2017 for the offence
under Section 304(B)/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that earlier the prayer for bail of this petitioner had
been rejected by this Court vide order dated 29.11.2019
passed in Cr. Misc. No. 38068 of 2019 with a direction to the
court below to conclude the trial within six months from the
date of order but the trial of the case has not been concluded
despite the order of this Court. The petitioner is rotting in
judicial custody since 15.03.2018 i.e. more than three years



and there is no substantial progress in the trial.

A report was called for regarding the state of trial and the same has been received from the court below which indicates that trial of the case is pending for examination of defense witnesses.

Learned APP for the State has opposed the prayer for bail and submitted that earlier the prayer for bail of this petitioner has been rejected on merits and now no fresh ground is made out for reconsideration of the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the report of the trial court, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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