

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.24677 of 2019**

Arising Out of PS. Case No.-194 Year-2012 Thana- MANSI District- Khagaria

AWADH YADAV S/o Radhe Yadav R/o village- Thatha, P.S.- Mansi, District-
Khagaria

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

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

8 20-09-2021 Heard learned counsel for the petitioner and Ms. Rina Sinha, learned APP for the State.

This is the second attempt of the petitioner to obtain bail in connection with Mansi P.S. Case No. 194 of 2012 registered for the offences punishable under Sections 324, 326, 307, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner has got five criminal antecedents as stated in paragraph ‘3’ of the application. He is in custody since 20.09.2016.

Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected vide order dated 05.09.2018 passed in Cr. Misc. No. 39407 of 2018 but despite lapse of three years thereafter, the trial has not been concluded.

Learned APP for the State has opposed the prayer for bail of the petitioner.

The trial court's report as contained in letter no. 166/2021 says that all the prosecution witnesses have been examined in this case and now the evidence of the prosecution has been closed. The trial court has taken a view that the case is likely to be concluded within a period of two months.

Considering the facts and circumstances of the case, the stage of the trial as indicated in the letter of the learned trial court which says that the case is likely to be concluded within a period of two months only, this Court is not inclined to enlarge the petitioner on bail at this stage. His prayer for bail is, thus, refused.

Learned trial court is expected to abide by the time frame provided in its letter no. 166 of 2021 and conclude the trial within a period of two months from the date of communication of this order. If the case is still not concluded for no reason attributable to the petitioner, he may renew his prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.