

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.34562 of 2021**

Arising Out of PS. Case No.-308 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

PINTU KESHARI @ RAKESH SAH PYARE SAH @ PYARE LAL SAH
Resident of Village- Amaon, P.S.- Chainpur, District- Kaimur (Bhabua)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Prasad Singh, Sr.Advocate
Mr.Bhaskar Shankar, Advocate

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

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

3 01-09-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned Senior Counsel for the petitioner and Mr. Shantanu Kumar, learned APP for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with S.Tr. No. 59 of 2020 arising out of Kudra P.S. Case No. 308 of 2019 registered for the offences punishable under Sections 279, 304(A), 302, 201, 392, 411, 328, 34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was rejected vide order dated 13.10.2020 passed in Cri. Misc. No. 26240 of 2020 after considering the materials which were collected in course of investigation and the kind of criminal antecedents of the petitioner. There are recovery of articles from the house of the petitioner and

other scientific investigation which have been taken note of by this Court.

The trial court’s report is available and it says that summons have been served on three out of four private witnesses named in the chargesheet. The Covid situation has been the reason for delay in conclusion of trial. The learned trial court has ordered issuance of non-bailable warrant against private witnesses and according to the report three months’ time may be taken in conclusion of the trial.

Considering the facts of the case as discussed hereinabove as also the trial court’s report, this Court is not inclined to release the petitioner on bail at this stage. The prayer for regular bail of the petitioner is, thus, refused.

The trial court is expected to proceed with the trial by taking all such appropriate steps which may be required to procure the attendance of the witnesses. If the trial still remains unconcluded within the period provided by the learned trial court, for no reason attributable to the petitioner, he may renew his prayer for bail.

The 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’.