

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34409 of 2021

Arising Out of PS. Case No.-135 Year-2016 Thana- WAJIRGANJ District- Gaya

JITENDRA MANJHI Son of Lakhan Manjhi, Resident of Village - Dhandhar,
P.S.- Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Wazirganj
P.S. Case No. 135/2016 instituted for the offences under
Sections 304(B)/34, 302/34, 120(B) of the Indian Penal Code.

The petitioner has been filed this bail application in
terms of the order dated 04.06.2020 in Cr. Misc. No.78829/2019
whereby this court while rejecting the bail application with a
direction to the Trial Court to hold the trial on day to day basis
and conclude the same within six months from the date of
receipt of this order. Further the S.S.P., Gaya is directed to
ensure that the attendance of the prosecution witnesses in the
trial court so that the trial must be concluded within six months.

The learned counsel for the petitioner submits that the



petitioner is in custody since 21.12.2016, he is a person with clean antecedents, charge-sheet has been submitted in this case.

Learned counsel for the petitioner submits that till dated in which three witnesses have been examined and four witnesses are yet to be examined and the petitioner as remained in custody on 21.12.2016 for more than five years.

Learned APP for the State opposes the bail application and submits that from perusal of the record, it appears that the prosecution has examined three witnesses and out of two witnesses have supported the prosecution. Due to Pandemic Covid-19 the trial court could not proceed as such the trial court may be directed to conclude the trial within a fixed period.

Considering the facts that the petitioner is husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected from the court of learned Additional Sessions Judge-III, Gaya, in connection with Wazirganj P.S. Case No. 135/2016, Sessions Trial No. 133/17/15/2019.

Accordingly, this application is dismissed.

However, the trial court is directed to ensure that the trial is expedited and concluded within a period of one year from today. If the trial is not concluded within a period of one



year from the date of receipt of a copy of this order. The
petitioner is at liberty to renew his prayer for bail.

(Satyavrat Verma, J)

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