

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36516 of 2021

Arising Out of PS. Case No.-95 Year-2018 Thana- MASHRAK District- Saran

Vijay Kumar @ Munna @ Vijay Kumar Singh S/O Shambhu Prasad @
Shambhu Nath Singh R/O Village-Bahrauli Kunwar Tola, P.S-Mashrakh,
District-Saran, Bihar, Present Address Gujaini, Kanpur, U.P.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-08-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual court
proceeding.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/120B and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

In pursuance to the order dated 28.07.2021, status
report of trial in connection with Sessions Trial No. 117 of 2020
arising out of Mashrakh P.S. Case No. 95 of 2018 has been
received and kept at Flag-A, in which it is stated that the due to
COVID-19 pandemic, no witness has been produced by the
prosecution. It is further stated that if prosecution cooperate in
the trial and physical court resumes, the trial of this case may be
concluded within one year.



Considering the present stage of the trial, I am not inclined to enlarge the petitioner on bail. Accordingly, his payer for bail is rejected in connection with Sessions Trial No. 117 of 2020 arising out of Mashrakh P.S. Case No. 95 of 2018 pending before the court of the learned Additional Sessions Judge-XIII, Saran at Chapra.

Accordingly, the application is dismissed. However, Trial Court is directed to conclude the trial as expeditiously as possible within a period of nine months from the date of initiation of normal physical proceeding and /or through Video Conferencing. Both parties are directed to cooperate in the trial. S.P., Saran is also directed to produce the witnesses in the court on the date fixed so trial shall be concluded within the stipulated period.

(Anjani Kumar Sharan, J)

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