

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38314 of 2021

Arising Out of PS. Case No.-100 Year-2018 Thana- MOTIHARI MUFASIL District- East Champaran

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Dina Nath Prasad @ Dinanath, age-31 years (male), S/o Sri Rajendra Prasad
R/o village- Surha, P.S.- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar, Adv.
For the State	:	Mr. A.M.P. Mehta, APP
For the Informant	:	Mr. Balgovind Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 27-10-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. This is the fifth attempt on behalf of the petitioner for bail, who is in custody since 05.07.2018 and has renewed his prayer for bail in connection with Muffasil P.S. Case No. 100 of 2018, having earlier been dismissed by orders dated 24.03.2021, 18.12.2019, 15.01.2019 and 10.04.2019 passed in Cr. Misc. No. 16567 of 2020, Cr. Misc. No. 63823 of 2019, 73419 of 2018 and 9214 of 2019 respectively for the offences alleged under Sections 147, 148, 149, 323, 324, 307, 302, 120B of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the



petitioner has already been in custody for more than three years pending trial.

4. Pursuant to the order dated 25.08.2021, a report dated 06.09.2021 has been received from the learned court below according to which the case is on the verge of disposal.

5. Learned APP appears and has been heard.

6. Learned counsel for the informant has filed a certified copy of the proceedings in the learned court below from which it appears that the matter had been fixed on 21.09.2021 and 05.10.2021 for evidence of defence witnesses.

7. Considering the stage of trial and earlier direction in Cri. Misc. No. 16567 of 2020 by this Court for its expeditious conclusion, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the bail petition stands dismissed.

8. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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