

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28179 of 2020

Arising Out of PS. Case No.-390 Year-2018 Thana- BIHIA District- Bhojpur

ANIL SHARMA S/o Late Ramlayak Sharma Resident of Village- Anar, P.S.-
Bihiya, District- Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Anand Kishore Chaudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bihiya P.S. Case No.
390/2018 instituted for the offences under Sections 302, 379 and
34 of the Indian Penal Code.

The earlier bail application of the petitioner was
rejected vide Annexure-2 to the present application taking into
account the statement of the witnesses in paragraph nos. 20, 21,
22 and 25 of the case diary where the witnesses have stated that
the petitioner had assaulted the deceased. The post-mortem
report also corroborates with the statement made by the said
witnesses in course of investigation.

A report was called for from the Trial Court. It has
been reported that charge has been framed and altogether 7



prosecution witnesses are to be examined by the prosecution and the trial is likely to be concluded within a period of six months.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The prayer is rejected. The Trial Court is directed to take all necessary steps to conclude the trial at the earliest preferably within a period of six months from the date of receipt/production of a copy of this order.

The District Magistrate, Bhojpur and the Superintendent of Police, Bhojpur at Ara are also directed to take necessary steps to produce the remaining witnesses on the date fixed in the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Bhojpur and the Superintendent of Police, Bhojpur at Ara.

(Sudhir Singh, J)

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