

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31415 of 2020

Arising Out of PS. Case No.-138 Year-2018 Thana- MAHUA District- Vaishali

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Tuntun Rai, male, aged about 26 years, Son of Late Bhola Rai, Resident of
Village - Suratpur, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 18-01-2021 Heard the counsel for the parties.

The petitioner seeks bail in connection with

Sessions Trial No. 50 of 2019 arising out of Mahua P.S.

Case No. 138 of 2018, dated 12.06.2018, instituted for

the offences under Sections 399, 402, 414 and 34 of the

Indian Penal Code and Sections 25(1-B)A, 26 and 35 of

the Arms Act.

The prayer for bail of the petitioner was earlier



twice rejected by this Court.

On 03.12.2020, a report had been called for from the Court below about the stage of the case, which report has since been received.

The report indicates that out of eight witnesses, only two have been examined up-till-now. The processes have been issued for compelling the attendance of the other witnesses. The next date fixed in the case was 16.12.2020.

The prevalence of COVID-19 pandemic cannot be used to the disadvantage of the accused persons including the petitioner, who is in custody since 13.06.2018.

However, looking at the fact that the prayer for bail of the petitioner was earlier twice rejected, I am not inclined to grant bail to him for the present.

The prayer for grant of regular bail of the petitioner is, accordingly, rejected.

In case, the trial is not finally concluded within a period of six months from the date of receipt/production of a copy of this order, the petitioner shall be at liberty to



approach the Trial Court for grant of bail and in that event, the Trial Court would be required to state the reasons for non-conclusion of the trial within the aforesaid period.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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