

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30210 of 2020

Arising Out of PS. Case No.-433 Year-2017 Thana- DANAPUR District- Patna

Prem Chaudhary, aged about 40 years, Gender-Male, S/o Late Laldeo Chaudhary, R/v- Purandarpur, P.S.- Jakkanpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar Sinha, Advocate
For the State	:	Mr.Manish Kumar No.2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioner, the informant and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Danapur P.S. Case No. 433 of 2017, G.R. No.-2194 of 2017 registered for the offences punishable under Sections 406, 420, 467, 468, 471, 120B, 34 of the Indian Penal Code.

By order dated 24.04.2019, the bail application of the petitioner has been rejected with a direction to the court below that the trial should proceed expeditiously in the matter so that the same is concluded positively by the 31st of December, 2019.

By order dated 24.11.2020, a report has been called for from the court concerned. The report is enclosed at flag 'R'. Learned court below sent a report and submits that there are altogether six prosecution witnesses including one I.O. 3 prosecution witnesses have been examined and discharged and



Witness No.4, Binod Kumar Shah has been examined and has been cross examined by all learned accused lawyer except the accused Raj Singh who is absence since 19.03.2020. The witness since then has also not filed any hazari in this case neither there was any endeavour on the part of prosecution to bring any witnesses. Bailable warrant is issued to the remaining witnesses by this Court on 24.11.2020.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the above named petitioner in connection with Danapur P.S. Case No.-433 of 2017, G.R. No.-2194 of 2017 pending in the court of learned A.C.J.M., Danapur is hereby rejected. However, the trial court is directed to conclude the trial of the accused within six months. If the trial is not concluded within six months, the petitioner may renew his prayer for bail.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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