

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29444 of 2020

Arising Out of PS. Case No.-173 Year-2018 Thana- MATIHANI District- Begusarai

Daulat Kumar @ Daulat Kunwar Son of Pankaj Kunwar Resident of Village-
Shankarpur Babhada, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s
Versus
The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Advocate Mr. Chandan Kumar Kashyap, Advocate
For the Informant	:	Mr. Apurva Kumar, Advocate Mr. Dhiraj Kumar no. 2, Advocate
For the State	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 02-02-2021 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner has renewed his prayer for bail in connection with Matihani P.S. Case no. 173 of 2018 registered under sections 302, 120B and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that earlier application for bail filed by the petitioner was withdrawn and thus the same not having been decided on merits, he is pressing the instant application on merits.

It is submitted by learned counsel for the informant that the trial in the learned Court below arising out of the instant case has proceeded. Subsequently, by order dated 8.1.2021 a report was called for from the learned Court below with respect to the stage of the trial.

A report contained in letter no. 29 of 2021 dated 19.1.2021 has been received from the learned Additional Sessions Judge III, Begusarai. From perusal of the said report, it transpires that in Sessions Trial no. 288 of 2018 five out of the



seven charge sheet witnesses having been examined and only two official witnesses remain to be examined.

In view of the contents of the above report, learned senior counsel for the petitioner submits that he does not want to press the instant application for the present.

The application for bail is opposed by learned counsel for the State and the informant.

Having heard learned counsel for the parties and taking into consideration the contents of the report as stated above, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

However, in the facts of the case, the learned Trial Court is directed to conclude the trial within a period of three months from the date of receipt of a copy of this order.

It is further directed that the Superintendent of Police, Begusarai shall ensure that the two official witnesses who remain to be examined in the trial shall appear and co-operate with the learned Court below in conclusion of the trial.

(Partha Sarthy, J)

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