

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40096 of 2021

Arising Out of PS. Case No.-243 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

GUDDU SAH Son of - Shambhu Sah Resident of Village - (Babu Tola)
Fasiya, P.S. Katihar (Nagar),. District - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

This Court, while entertaining this application seeking bail to the petitioner in connection with Katihar (Muffassil) P.S. Case No. 243 of 2019, observed that this is the third occasion the petitioner has prayed for grant of bail. Though on the second occasion a co-ordinate Bench of this Court, while rejecting the prayer for bail of the petitioner vide order dated 20.10.2020, has directed the trial court to expedite the trial of the petitioner and to conclude it as early as possible, but the petitioner being impatient chosen to approach this Court again even knowing the fact that out of six charge-sheet witnesses, three witnesses have been examined and the trial court has made every possible effort to conclude the trial with respect to the petitioner in compliance



of order dated 20.10.2020.

The frequent repetition of filing applications seeking relief is nothing but a misuse of process of Court and this practice before the High Court is totally misconceived and erroneous. The Court would feel appropriate to suggest that the petitioner should renew his prayer for bail before the court below bringing on record the fact of the present stage of the trial.

Learned counsel for the petitioner after some arguments, shown his willingness towards withdrawal of this application and sought permission to withdraw the instant application.

This court, reluctantly, without entering in to the merits of the case, permitted the petitioner to withdraw this application in order to avail appropriate remedy available with him in accordance with law.

Accordingly, this criminal miscellaneous application is dismissed with the aforesaid observation.

(Rajesh Kumar Verma, J)

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