

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31894 of 2020**

Arising Out of PS. Case No.-40 Year-2013 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Sharukh Khan @ Shahrukh Khan @ Shahru Khan Son of Javed Khan @
Jauad Khan Resident of Village - Ratanpura, P.S.- Sherghati, District - Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Chandra, Advocate
For the Opposite Party : Mr. Sakir Ahmad, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER**

3 20-01-2021 Perused the report dated 14th December, 2020

submitted by the learned Additional District & Sessions Judge-
III, Gaya in compliance with the order dated 02.12.2020. The
report submitted by him would reveal that due to pandemic
Covid-19, the trial of the accused could not be proceeded further
after the imposition of lockdown. Since the physical court
functioning has been resumed, he stated that the trial of the case
would be completed within four months.

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

The petitioner seeks bail in connection with
Magadh Medical P.S. Case No.40 of 2013 registered under
Sections 302, 120-B/34 of the Indian Penal Code and Section 27



of the Arms Act.

The application for grant of bail to the petitioner was rejected thrice earlier. The last order of rejection is dated 17.04.2019 passed in Cr.Misc.No.20763 of 2019. The only ground on which the prayer has been renewed is the custody of the petitioner for a little over 4 years.

As there is no changed circumstance and out of 10 charge sheeted witnesses, nine has already been examined and the trial court has sought for four months' further time in order to complete the trial, I see no reason to take a different view of the matter.

The prayer for bail is rejected.

In case the trial of the petitioner is not completed within four months from the date of receipt/production of a copy of this order, the petitioner would be at liberty to renew his prayer for bail before the court below itself.

(Ashwani Kumar Singh, J)

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