

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32047 of 2020

Arising Out of PS. Case No.-350 Year-2018 Thana- MUNGER MUFFASIL District- Munger

KANHAIYA YADAV Son of Ganauri Yadav @ Bhutto Yadav Resident of
Village - Shankarpur, P.S. - Muffasil, District - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Sinha,Advocate Mr.Kamal Kishore Jha,Advocate
For the Opposite Party/s :		Mr.Manoj Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-01-2021 Heard learned counsel for the petitioner and Mr.
Manoj Kumar, learned APP for the State.

This is second attempt of the petitioner to obtain regular bail in connection with Muffasil P.S. Case No. 350 of 2018 registered for the offence punishable under Sections 342, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that earlier prayer for regular bail has been rejected by this Court vide order dated 27.11.2019 in Cri. Misc. No. 59670 of 2019. The petitioner is in custody since 10.12.2018 and the trial is not progressing well.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the



case, wherein the prayer for bail of this petitioner was earlier rejected after considering the allegation against him and the criminal antecedent but the report received from the learned trial court at this stage indicates that the trial is likely to be concluded within a period of five months only, this Court is not inclined to grant privilege of regular bail to the petitioner. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

The learned trial court should ensure that in terms of its report the trial must be concluded within that period. The prosecution must cooperate in course of trial. Learned trial court shall fix the case on day-to-day basis.

If the trial is not concluded within the aforesaid period for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

