

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42431 of 2021

Arising Out of PS. Case No.-208 Year-2017 Thana- PARASBIGHA District- Jehanabad

Mahesh Yadav Son of Late Ambika Prasad Resident of Village - Harpura
Bulaki Bigha, P.S.- Jehanabad (O.P.- Karouna), Dist. - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 08-12-2021 Heard Mr. Nitya Nand Neeraj, learned Advocate

for the petitioner and Mr. Ramchandra Sahni, learned

Advocate for the State. Nobody has appeared on behalf

of the informant.

The prayer for bail of the petitioner was earlier
rejected *vide* order dated 24.08.2020 passed in Cr.
Misc. No. 5140 of 2020. While rejecting the prayer for
bail, this Court had directed that the trial must be
concluded within a period of nine months from the date
of receipt/production of a copy of this order.

Learned counsel for the petitioner has
submitted that after the passing of the aforesaid order,



two witnesses were examined but no sooner nine months elapsed, the case was transferred to another court where no witness as yet has been examined.

The petitioner has remained in custody since 13.03.2019.

Though it is a case of three murders and the petitioner is attributed with the role of assaulting one of the deceased but the trial cannot continue for eternity.

Looking at the nature of accusation against the petitioner and the background facts, I am not inclined to grant bail to the petitioner for the present.

The prayer for grant of bail is rejected.

However, the trial court is directed to proceed with the trial expeditiously and any failure to do so would invite an adverse inference about the conduct of proceedings before the trial court. If there is no substantial progress in the case within the next six months, it would be open for the petitioner to approach the trial court for grant of bail and in that event the trial



court would be under an obligation to explain the reasons for the tardy progress of the trial.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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