

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43365 of 2021**

Arising Out of PS. Case No.-212 Year-2019 Thana- BHAGWANPUR District- Vaishali

=====

DAMODAR RAI Son of Raghunandan Rai Resident of Village- Manua, P.S.-
Sadar Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, 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 Bhagwanpur P.S. Case No. 212 of 2019, observed that this is the second occasion the petitioner has prayed for grant of bail. Though on the previous occasion, a co-ordinate Bench of this Court, while rejecting the prayer for bail of the petitioner vide order dated 25.02.2021, has directed the trial court to expedite the trial of the petitioner on day to day basis and conclude the same within six months from the date of receipt of that order, but the petitioner being



impatient chose to approach this Court again.

The frequent repetition of filing application 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 argument has shown his willingness towards withdrawal of this application and sought permission to withdraw the instant application.

This court, reluctantly, without entering into 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Accordingly, this criminal miscellaneous application is dismissed as withdrawn, with the aforesaid observation.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

