

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47321 of 2021**

Arising Out of PS. Case No.-192 Year-2019 Thana- SHANKARPUR District- Madhepura

Nathuni Sah @ Nathuni Saw, son of Jai Narayan Sah @ Jaynarayan Saw @ Jay Nr. Sah, resident of village- Bathan Parsa, Ward No. 5, P.S.- Shankarpur, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1, Advocate

For the Opposite Party/s : Md.Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 22-12-2021 Heard learned counsel for the petitioner and Md. Fahimuddin, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain bail in connection with Shankarpur P.S. Case No. 192 of 2019 registered for the offence under Sections 302/34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was rejected by this court in the following terms:

“Having regard to the facts and circumstances of the case and considering the kind of materials which have been placed before this Court by learned APP for the State, there being independent witnesses who have seen this petitioner along with the deceased talking about some monetary transactions and the investigation is disclosing that at least on five occasions there was a talk between the petitioner and the deceased and on asking of this petitioner he had left the house and went to him but thereafter did not return, this Court is not



inclined to grant privilege of regular bail to the petitioner. The prayer is refused.

Let the trial be expedited.

The learned trial court is directed to proceed with the trial without granting longer date and no unnecessary adjournment be granted. The prosecution must cooperate in course of trial.”

On the last date, this Court had called for a report from the learned trial court as to the present stage of the trial. The trial court report shows that the prosecution evidence has already begun and out of nine charge-sheet witnesses three witnesses had already been examined and summons had been issued against the prosecution witnesses. The next date was fixed on 03.12.2021.

Since the evidence has already begun and the remaining six witnesses are only to be examined, at this stage, this court is not inclined to release the petitioner on bail.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial court expedite the trial and all endeavours be made to conclude the trial as early as possible preferably within a period of six months from the date of communication of this order. The Public Prosecutor must cooperate by producing all the prosecution witnesses on the dates fixed in the matter.



If for no reason attributable to the petitioner the trial is not concluded within a period of six months as stated above, the petitioner may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

