

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47924 of 2021

Arising Out of PS. Case No.-384 Year-2018 Thana- MANER District- Patna

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PINTU KUMAR @ PINTU KUMAR SINGH S/o Jai Prakash Singh R/o
Village- Pandeypur Tilhari, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Yogesh Chandra Verma, Sr. Adv. Mr.Amar Prakash, Adv.
For the Opposite Party/s :		Mr.Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-09-2021 Heard the parties.

Learned Senior Counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, office will place the matter before the Bench.

Learned Senior Counsel for the petitioner submits that earlier the prayer for bail of the petitioner vide Cr. Misc. No.37978 of 2019 was rejected on 25.07.2019 by a co-ordinate Bench of this Court. Thereafter, the petitioner again filed Cr. Misc. No.12971 of 2020 seeking bail, which was rejected vide order dated 06.07.2020 by this Court with



observation that the petitioner may renew his prayer for bail, if the trial is not concluded within nine months but the trial has not been concluded till date.

The petitioner has again filed the instant application with the prayer for grant of bail and this Court vide order dated 01.09.2021 has called for the status report regarding stage of trial.

In compliance thereof, a report dated 10.09.2021 has been sent by learned Additional Sessions Judge VII, Danapur and kept at Flag 'X' whereby it has been submitted that due to non cooperation of co-accused Jayprakash Singh, who is father of the petitioner and his advocate and exceptional situation arising due to pandemic Covid-19, proceeding of this case has not progressed and charge is yet to be framed.

Considering this fact, I am not inclined to grant bail to the petitioner, as such, prayer for bail of the petitioner named above is rejected.

However, learned court below is directed to conclude the trial as expeditiously as possible, preferably within a period of six months from the date of production of a copy of this order.



Both the parties are directed to cooperate in the trial.

If the trial is not concluded within the stipulated time, petitioner be released on bail to the satisfaction of learned court below, subject to following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself



available and when so required and in case of failure, the
State shall be at liberty to move for cancellation of bail.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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