

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49193 of 2021**

Arising Out of PS. Case No.-259 Year-2018 Thana- DARBHANGA District- Darbhanga

BIPIN RAY Son of Surendra Rai Residence of Mohalla - Mishra Tola, Nag
Mandir, P.S.- Town, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Chitranjan Sinha, Sr. Advocate Kedar Jha, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Pd. Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 17-11-2021 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner has renewed his prayer for bail in a
case registered under sections 302 and 34 of the Indian Penal
Code and section 27 of the Arms Act.

It is submitted by learned senior counsel that the
earlier application for bail of the petitioner was rejected vide
orders dated 21.10.2019 and 3.2.2021 (Annexure-1 series to this
petition). It is further submitted that inspite of the petitioner
having remained in custody since 4.1.2019 the trial is still
continuing and there is no chance of the same concluding in the
near future.

Referring to the deposition of the witnesses who have
been examined in course of trial which has been brought on
record as Annexure-4 series to this petition, it is submitted by



learned senior counsel that the seven prosecution witnesses have not supported the case against this petitioner.

The prayer for bail is opposed by learned APP for the State who submits that there is direct allegation against the petitioner of having shot the son of the informant in his head.

A report was called for with respect to the stage of trial from the learned trial Court. As per the report received contained in letter dated 29.9.2021 of the learned 7th Addl. Sessions Judge, Darbhanga, 7 of the 13 chargesheet witnesses have been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

Liberty is granted to the petitioner to renew his prayer for bail in case there is no substantial progress in the trial in six months from the date of receipt of a copy of this order, in the learned trial Court.

(Partha Sarthy, J)

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