

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38983 of 2020**

Arising Out of PS. Case No.-144 Year-2013 Thana- BARH District- Patna

MANISH SINGH Son of Awadhesh Singh Resident of Village- Harauli, P.S.-
Barh and District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Singh, Advocate
	:	Mr. Manish Kumar No. 2, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the Informant	:	Mr. Arun Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 23-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Barh P.S. Case No. 144 of 2013 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the informant was told by the son of his brother-in-law that while he along with the son of the informant



were going together on the motorcycle, the son of the informant was shot dead by this petitioner and the co-accused. Petitioner is said to have triggered the pistol on the temple of the deceased.

Learned counsel submits that this is a case of false implication. The informant is not an eye-witness to the alleged occurrence.

Learned counsel for the informant submits that in this case there is a direct allegation against the petitioner, he was absconding in this case for about five years. It is only when he was arrested later on in connection with another case, he has been brought in this case and now charges have been framed against the petitioner. It is submitted that once released on bail, the petitioner is not likely to allow the trial to proceed uninterrupted.

Learned A.P.P. for the State has also opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case wherein there a direct allegation against this petitioner, he has been brought in this case and he is in custody since 12.07.2019 i.e., after about six years of the case and he has got three criminal antecedents, two of which are under the similar Section 302 I.P.C., now charges have already been framed, this Court is



not inclined to release him on bail. Prayer for bail is thus rejected. Let the trial be expedited.

Learned trial court is directed to proceed with the trial as early as possible and all endeavours be made to give shorter dates in the case and allow the trial to be finished preferably within a period of one year from the date of start of normal functioning of the court. The prosecution must cooperate in early conclusion of the trial.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

