

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56010 of 2021**

Arising Out of PS. Case No.-48 Year-2016 Thana- SAHPUR District- Bhojpur

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HARESH MISHRA Son of Shivajit Mishra Resident of Village- Sonbarsa,
P.S.- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

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

For the Informant : Mr. Sanjay Kumar Tiwary, Adv.

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

2 17-11-2021 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.

This is the 3rd attempt of the petitioner to obtain bail
in connection with S.Tr.No.390 of 2016 arising out of Shahpur
P.S. Case No.48 of 2016 registered for the offences punishable
under Sections 147, 148, 149, 341, 324, 307 and 302 of the
Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 28.12.2016 but the trial is not
progressing.

Having regard to the facts and circumstances under



which the prayer for bail of the petitioner has been rejected twice on earlier occasion and today this Court has been informed that out of 20 prosecution witnesses, 12 witnesses have already been examined till date, considering the seriousness of the allegations, severity of the punishment and the specific allegation that the petitioner is the main assailant, this Court is not inclined to release the petitioner on bail.

The learned trial court is expected to proceed with the trial on day to day basis and keep the records of this case on short intervals in the physical court and make all endeavours to conclude the trial as early as possible.

This Court is conscious of the fact that in the earlier order this Court had observed that the trial be concluded preferably within a period of six months. However, the fact that during intervening period the Corona pandemic situation was such that the court was not functioning, the above observations have been made by this Court.

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'.

