

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40392 of 2020

Arising Out of PS. Case No.-578 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

CHANDRAMA MALLAH S/o Nagendra Mallah @ Nagendra Nisad
Resident of Village - Bhagwanpur, P.S. - Bhagwanpur, District - Kaimur at
Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaudhary, Adv.

For the Opposite Party/s : Mr.Ram Bilas Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-02-2021 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 and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with ST. No.225/2019, arising out of Sonhan P.S.
(Bhabua) Case No. 578/2019 registered for the offences
punishable under Sections 363 and 364A/34 of the Indian Penal
Code and Sections 25(1-b)a, 26/35 of the Arms Act.

Earlier the prayer for regular bail of the petitioner was
rejected vide order dated 19.03.2020 passed in Cr.Misc.No.5363
of 2020 with other analogous case.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Learned counsel submits that there is no specific allegation against this petitioner and no arms and ammunition has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner has no criminal antecedent and he is in judicial custody since 29.09.2019 without any fault on his part.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is stated that the trial has already begun and some of the prosecution witnesses have already been examined, this Court is not inclined to grant regular bail to the petitioner at this stage considering that his prayer for regular bail has been earlier rejected by a learned coordinate Bench of this Court.

This Court would, however, observe that the learned trial court must proceed with the trial on day to day basis without granting unnecessary adjournments and conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order. If the trial is not concluded within the aforesaid period for no reason attributable



to the petitioner, he may renew his prayer for bail.

(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'.

