

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57149 of 2021

Arising Out of PS. Case No.-342 Year-2018 Thana- AMARPUR District- Banka

SITARAM MANDAL @ SITARAM CHOUHAN Son of Late Gujju Chouhan Resident of Village - Meghwa Bathni, P.S. - Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nil Kamal

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-12-2021 Heard learned counsel for the petitioner and learned APP for the State.

This is the second attempt of the petitioner to approach before this Court for bail. Earlier, vide a detailed order dated 10.12.2020 passed in Cr. Misc. No.27548 of 2020, this Court has rejected the prayer for bail of the petitioner with a direction to the learned Court below to expedite the trial and conclude the same preferably within nine months, failing which the petitioner would be at liberty to renew his prayer for bail.

Vide order dated 06.10.2021, a report was called for from the learned Court below regarding the status of the case. In compliance thereof, a report dated 23.10.2021 has been sent by the learned Additional Session Judge-II, Banka which is at Flag



‘P’ to this application. In his report the learned Additional Sessions Judge, Banka has, *inter alia*, stated that the trial of the case is likely to be concluded within six months from today.

Learned counsel for the petitioner submits that the case of the petitioner has not been committed to the Court of Sessions up till now. He further submits that similarly situated co-accused have been granted bail by different co-ordinate Bench of this Court and the order-sheets are annexed as Annexure-5 series to this application.

Learned APP for the State opposing the bail application submitted that earlier the petitioner was absconder for almost two years.

Considering the facts aforesaid as also the report of the learned Court below, I am not inclined to enlarge the petitioner to bail. The prayer for bail is hereby rejected. However, the petitioner would be at liberty to renew his prayer after framing of charge.

(Anjani Kumar Sharan, J)

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