

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4183 of 2021

Arising Out of PS. Case No.-138 Year-2019 Thana- THARTHARI District- Nalanda

RAJNISH KUMAR, son of Dinesh Prasad, Resident of Village-Kariawan @
Kariyawan, P.S. Tharthari, District-Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 03-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second attempt of the petitioner seeking regular bail in connection with Tharthari P.S. Case No. 138 of 2019 registered for the offences punishable under Sections 341, 323, 307, 448, 354, 379, 504 and 34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was rejected vide order dated 21.08.2020 passed in Cr. Misc. No. 17817 of 2020.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.09.2019 and the trial is not progressing well.

Perused the report dated 18.02.2021 of learned Additional Sessions Judge 1st, Hilsa, Nalanda. It is reported that the trial of the case is going on and it is likely to be concluded



within six months.

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

In view of the report from the learned trial court, this Court is not inclined to grant privilege of bail to the petitioner at this stage. The trial is likely to be concluded within six months.

Let the prosecution as well as the defence cooperate in course of trial by producing witnesses on the date fixed in the matter.

The learned trial court shall not grant unnecessary adjournment and shall keep the matter on day-to-day basis.

If the trial is not concluded within six months' period for no reason attributable to the petitioner, the petitioner may renew his prayer for bail.

The 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'.

