

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3533 of 2021**

Arising Out of PS. Case No.-42 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

RADHEY SHYAM SINGH @ RADHE SHYAM SINGH @ RADHE
SEYAM SINGH @ SHUBHAM SINGH Son of late Ajay Singh Resident of
Village - Shahganj, Benta, P.S.- Laheriasarai, Distt.- Darbhanga.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rohit Kumar,Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary,APP

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

4 30-06-2021 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Nitya
Nand Tiwary, learned APP for the State.

This is the third attempt of the petitioner to obtain
bail in connection with Laheriasarai (Benta O.P.) P.S. Case No.
42 of 2018 corresponding to C.R.I. No. 272 of 2018 registered
for the offences punishable under Sections 341, 324, 307 of the
Indian Penal Code and Sections 25(1-b)a & 27 of the Arms Act.

This Court had called for a report from the learned
trial court as to the present stage of trial and the time likely to be
taken in conclusion thereof.

This Court has now been informed that the report has



been received and the trial court is likely to dispose of the case within a period of six months.

Learned counsel for the petitioner has, however, tried to impress upon this Court that the evidence has yet not begun and the trial is not likely to be concluded in near future. The petitioner is said to be in custody for about three years.

Learned APP for the State has opposed the prayer for regular bail of the petitioner. His submission is that there is a direct allegation against the petitioner and this fact has been noticed while rejecting the prayer for bail of the petitioner on earlier occasions.

Considering the facts and circumstances of the case, there being direct allegation against the petitioner and twice rejection by learned Co-ordinate Bench of this Court, this Court is not inclined to release the petitioner on bail. This Court would, however, consider the prayer for early conclusion of the trial because the petitioner is in custody for over three years.

In that view of the matter, the trial court is expected to conclude the trial within a period of six months from the start of normal functioning of the Court. No longer date shall be fixed and all attempts shall be taken to conclude the trial preferably within the aforesaid period. If the trial remains unconcluded for



no reason attributable to the petitioner, it will be open for the
petitioner to renew his prayer for bail.

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'.

