

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6444 of 2021

Arising Out of PS. Case No.-124 Year-2019 Thana- KHAIRA District- Jamui

Sanjay Sao, Son of late Gajo Saw, Resident of Village- Kharai, P.S. -
Khaira, Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh, Advocate.

For the Opposite Party/s : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 07-04-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office,
within four weeks of starting of the Court proceeding in
physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Sessions
Trial No. 303 of 2019, arising out of Khaira P.S. Case No. 124
of 2019, registered under Sections 341, 323, 302 and 504/34 of
the Indian Penal Code, pending in the court of 4th Additional
Sessions Judge, Jamui.

The accusation is that Nand Lal Rawat, husband of
the informant, Sunita Devi, was plucking the green plant in the



field, at that time, Shanti Devi, Nilam Devi and Bindu Devi came there and started to abuse claiming that the said plot belong to them. In the meanwhile, Sanjay Saw (petitioner) younger son of Shanti Devi, with intention to kill gave bamboo blow at the head of the husband of the informant, but he could not made any protest due to plaster in his hand. Thereafter, Shanti Devi threw brick, which hit near the eye of Nand Lal Rewat. Thereafter, Anil Saw, another son of Shanti Devi and son-in-law of Sanjay Saw also started to cause injury through lathi and danda to her husband. While husband of the informant was rushed for treatment, but he died in course of treatment.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected on merit vide order dated 04.03.2020 passed in Cr. Misc. No. 71693 of 2019 by this Court. Further submission is that petitioner is in custody since 25.04.2019 but the trial of the petitioner has not been concluded as yet.

A report regarding the present stage of trial has been received through letter no. 26 dated 23.02.2021, from the court of learned Additional Sessions Judge-IV, Jamui, which shows that all nine charge sheet witnesses are yet to be examined and summons have already been issued against all witnesses and



also expected that the trial of the petitioner is likely to be concluded within six months.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for grant of bail stands rejected. However, the trial court is directed to conclude the trial of the petitioner within six months from today by taking all effective steps. If the trial of the petitioner is not concluded within the aforesaid period of six months, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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