

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4176 of 2021**

Arising Out of PS. Case No.-32 Year-2019 Thana- DESARI District- Vaishali

ANJIT KUMAR @ ANJIT MAHTO S/o Saltan Mahto R/o Village-
Chakjamal, P.S.- Desari (Sahdei O.P.), District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Rina Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

3 22-12-2021 Heard Ms. Rina Sinha, learned Advocate for the
appellant and Mr. Binay Krishna, learned Spl. PP for the
State.

The prayer for bail of the appellant was earlier
rejected *vide* order dated 09.03.2021 passed in Cr.
Misc. No. 33428 of 2020.

The appellant is said to be in custody since
26.08.2020.

This Court had called for a report about the
stage of the case from the court below. The report
indicates that out of 9 charge-sheeted witnesses, no
witness has turned-up up till now. The report further
indicates that summons and bailable warrants have been
issued against the witnesses and the trial court is trying
to expedite the trial.



Learned counsel for the appellant has submitted that the main thrust of accusation is on another accused and therefore, the petitioner ought to be released on bail during the pendency of the trial, keeping in mind that he has been in custody for the last approximately 1½ years.

Regard being had to the nature of accusation against the appellant and his associate, I am not inclined to release the appellant from jail during the pendency of the trial.

Accordingly, the prayer for bail is rejected.

However, looking at the period of custody and the tardy progress of trial, this Court directs that in case there is no substantial progress in the case within the next six months, it would be open for the appellant to approach this Court again for grant of bail.

The petition is disposed off accordingly.

(Ashutosh Kumar, J)

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