

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14572 of 2021**

Arising Out of PS. Case No.-40 Year-2017 Thana- MOUZAHDIPUR District- Bhagalpur

MUKESH KUMAR CHOUDHARY @ MUKESH CHOUDHARY @
PAGLU SON OF SONU CHOUDHARY@MUNILAL CHOUDHARY
RESIDENT OF VILLAGE-AMBABAG,P.S-MOJAHIDPUR, DISTRICT-
BHAGALPUR

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary,Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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

2 23-06-2021 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. Ram Bilash Roy Raman, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Mojahidpur P.S. Case No. 40 of 2017 registered for the offences punishable under Sections 363/365/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that it is a case of false implication, however, at the same time, this Court is being informed that the trial has already begun and three prosecution witnesses have been examined so far.

Learned Counsel for the petitioner submits that warrant of arrest has been issued against the informant who is not turning up in



course of trial to depose.

Learned APP for the State submits that in this case the petitioner has surrendered after about three years and considering that the trial has already begun and witnesses are being examined, the petitioner does not deserve privilege of bail at this stage.

Considering the facts and circumstances of the case, particularly that the petitioner has surrendered three years after the alleged occurrence and now the trial has already begun, three witnesses have been examined and the informant is now going to be examined, this Court is not inclined to release the petitioner on bail at this stage.

Let the trial be expedited.

The trial court shall take all endeavours to conclude the trial as early as possible and preferably within a period of six months from the date of communication of this order. For this purpose, a shorter date shall be fixed in the matter. If the trial is not concluded within a period of six months, the petitioner may 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'.

