

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8489 of 2021

Arising Out of PS. Case No.-7 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

Sonu Sah, aged about 26 years, male, Son of Gena Sah, R/o Village-
Mahangua, P.S.- Muffasil, Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Piyush Kumar, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 17-03-2021 Heard Mr. Piyush Kumar, learned Advocate for

the petitioner and Mr. Narendra Kumar Singh, learned APP

for the State.

The petitioner seeks bail in connection with

Sessions Trial No. 464 of 2019 arising out of Muffasil P.S.

Case No. 07 of 2019, dated 04.01.2019, instituted for the

offence under Section 302 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier



twice rejected *vide* orders dated 13.09.2019 and 03.07.2020 passed in Cr. Misc. Nos. 45004 of 2019 and 8583 of 2020 respectively.

The petitioner is stated to be jail since 02.03.2019 and the trial has not yet concluded, even though the Trial Court was directed to conclude the same positively within a period of four months as only one witness was left to be examined.

However, on this occasion, when again a prayer for bail was made on behalf of the petitioner, this Court, on 01.02.2021, had asked for a report about the stage of the case from the Court below, which report has been received and kept at Flag-A.

In this report, it has been stated that out of seven charge-sheet witnesses, four witnesses including the Doctor have been examined and one private witness and two official witnesses are still left to be examined. Against those witnesses, non-bailable warrant of arrest and summons respectively have already been issued. According to the report, it appears that every effort is being



made to conclude the trial at the earliest.

Considering the aforesaid stage of the trial, I am not inclined to grant bail to the petitioner for the present.

The prayer for grant of bail of the petitioner is, accordingly, rejected.

The Trial Court is directed to conclude the trial positively within a period of four months from the date of receipt/production of a copy of this order.

However, if there is no substantial progress in the trial and which delay would not be attributable to the petitioner, he would be at liberty to approach the Trial Court for grant of bail and in that event, the Trial Court would be required to state reasons for non-conclusion of the trial within the aforesaid period.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

