

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8863 of 2021**

Arising Out of PS. Case No.-572 Year-2016 Thana- LAKHISARAI District- Lakhisarai

LAKHAN MAHTO @ RAM LAKHAN MAHTO S/O- LATE JAGDISH
MAHTO R/O- VILLAGE- DAMODARPUR, P.S.-LAKHISARAI,
DISTRICT- LAKHISARAI

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Bhaskar Shankar,Advocate
For the Opposite Party/s	:	Mr.Dinesh Singh,APP
For the Informant	:	Mr. Narsingh Tanti,Advocate

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

2 04-05-2021 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, learned counsel for the informant and learned APP for the State.

This is the third attempt of the petitioner to obtain regular bail in connection with S.Tr. No. 83 of 2019 arising out of Lakhisarai P.S. Case No. 572 of 2016 registered for the offences punishable under Sections 307, 379, 354, 323, 325, 504, 147, 148, 149, 302 of the Indian Penal Code.

Learned counsel for the petitioner has drawn the attention of this Court towards the earlier orders passed by learned predecessor Bench of this Court whereby while



rejecting the prayer for bail of the petitioner the learned predecessor Bench had observed that the petitioner being in custody since 20.04.2018, the trial court is directed to expedite and conclude the trial as early as possible.

Learned counsel for the petitioner submits that the petitioner has remained in jail for over three years by now and till date only commitment has taken place. According to him, the trial has not been expedited and there is no chance of early conclusion of trial.

On the other hand, learned counsel for the informant as well as learned APP for the State submit that the last order by which the observation was given by the learned predecessor Bench was passed on 26.02.2020, only after a month the country went under lockdown due to unprecedented COVID-19 situation. It is submitted that since then the courts are not functioning properly and that has certainly delayed the conclusion of trial.

Having regard to the facts and circumstances of the case, considering that because of an unforeseen circumstance arising out of unprecedented COVID-19 situation, the trial has not been expedited, at this stage, this Court is not inclined to entertain this application for grant of bail. This Court would



only reiterate that as soon as the trial court starts functioning in its normal mode, all endeavours shall be taken to conclude the trial as early as possible and preferably within a period of one year from the date the normalcy in the court workings are restored.

This application stands disposed of with the aforesaid observations and directions.

(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'

