

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9340 of 2021

Arising Out of PS. Case No.-207 Year-2019 Thana- SAHARSA SADAR District- Saharsa

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Aniket Kumar @ Aniket Anand, aged about 20 years, Gender-Male, Son of Arvind Kumar @ Arvind Kumar Gupta, Resident of Village Shiopuri Ward No.14, P.S. Saharsa, District Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-08-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 34 and 120(B) of the Indian Penal Code.

In pursuance of the order dated 23.07.2021, status report of trial in connection with Saharsa (Sadar) P.S. Case No.207/2019, giving rise to Session Trial No.146/2019 has been received and kept at Flag-‘A’, in which it is stated that the case is pending for evidence for prosecution. The charge was framed by the learned Sessions Judge, Saharsa on 17.09.2019. Three material prosecution witnesses have been examined by this Court out of four material prosecution witnesses and cross examination of PW3, Phulo Devi has been deferred on 22.03.2021. Thereafter PW3, Phulo Devi did not move for her further cross examination. It is further reported that the



informant of this case, Mohan Mistri has not been examined as yet and at present due to Covid-19 pandemic, no evidence is being recorded in any trial.

Considering the present stage of trial, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Saharsa (Sadar) P.S. Case No.207 of 2019, giving rise to Session Trial No.146 of 2019.

However, the trial court is directed to expedite the trial and conclude the same as expeditiously as possible preferably within a period of six months from the date of initiation of normal physical proceeding and/or through video conferencing. Both the parties have to co-operate the disposal of the trial. At the same time, the Superintendent of Police, Saharsa is directed to ensure the production of the witnesses in the court below on the date fixed so that the trial may be concluded within the period as prescribed.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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