

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68139 of 2021**

Arising Out of PS. Case No.-25 Year-2020 Thana- KISHUNPUR District- Supaul

INDRA KUMAR @ INDRA KUMAR YADAV, Son of Late Jagannath Yadav,
Resident of Village - Nauwabakhar, P.S. - Kishanpur, District - Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, A.P.P.

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

2 08-12-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Satya Nand Shukla, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain bail in connection with S.T. No. 51 of 2021 arising out of Kishanpur P.S. Case No. 25 of 2020 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that while rejecting the prayer for bail of the petitioner in Cr. Misc. No. 29128 of 2020, this Court had observed that if the trial is not concluded within a period of nine months the petitioner may



renew his prayer for bail. It is informed that though the trial has begun but till date only one witness has been examined.

Mr. Satya Nand Shukla, learned A.P.P. for the State submits that in this case the trial has already begun and considering that the release of the petitioner at this stage may result in delaying the trial, as also that due to the Covid-19 situation which prevailed for a substantial period after passing the order of this Court, some more time may be allowed to the learned trial court to conclude the trial.

Having regard to the submissions noted hereinabove and the materials placed before this Court, this Court is of the considered opinion that the trial court must take all endeavours to conclude the trial by keeping the records on shorter dates and without granting unnecessary adjournments to the parties and all endeavours be made to conclude the trial within a period of four months from the date of communication of this order.

If the trial still remains unconcluded for no reason attributable to the petitioner, he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge VII, Supaul in connection with S.T. No. 51 of 2021 arising out of Kishanpur



P.S. Case No. 25 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

