

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.71423 of 2019**

Arising Out of PS. Case No.-30 Year-2019 Thana- JAMALPUR District- Munger

SUMAN KUMAR Son of Rajesh Kumar Mandal Resident of Bari Dariyapur,
P.S.- Jamalpur, Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

5 09-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Jamalpur P.S. Case No.30 of 2019 registered for the offences punishable under Sections 304(B) and 328/34 of the Indian Penal Code. He is in custody since 17.02.2019.

Learned counsel for the petitioner submits that the petitioner has remained in custody for about two and half years in connection with this case, though the trial has begun but it is not likely to come to an end in near future, hence, the petitioner may be enlarged on bail.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner. It is submitted that the trial has already begun in this matter and some of the witnesses have been examined so far as has

been stated by learned counsel for the petitioner himself in course of argument, however the deposition of those witnesses are not before this Court and at this stage if the trial itself may be concluded within a reasonable period the petitioner does not deserve privilege of bail.

Considering the facts and circumstances of the case wherein this Court has noticed that according to the petitioner the trial has already begun and some of the witnesses have been examined so far, this Court is not inclined to release the petitioner on bail at this stage.

Let the learned trial court proceed with the trial giving priority to the matter on day to day basis and all endeavours be made to conclude the same within a period of six months from the start of normal/physical functioning of the court. The Public Prosecutor must cooperate by producing all the witnesses on the dates fixed in the matter.

If the trial remains unconcluded during this period for no reason attributable to the petitioner, he may renew his prayer for bail.

(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'.