

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80292 of 2019

Arising Out of PS. Case No.-162 Year-2017 Thana- SANDESH District- Bhojpur

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RAMBABU SAH @ RAMBABU SAW S/o Late Chandrama Saw R/o
Village- Narayanpur, P.S.- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 17-11-2021 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in connection with a case registered under sections 409, 420 and 120B of the Indian Penal Code.

At the very outset, it is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 3.8.2018 (Annexure-1) passed in Cr. Misc. no.16809 of 2018 giving directions to the learned trial court to expedite the trial and conclude the same preferably within nine months. It is submitted that against the direction to conclude the trial within nine months inspite of more than three years having been passed since passing of the said order dated 3.8.20218, the trial has still not concluded. The petitioner is in custody since 20.1.2018 and as such, he may be



enlarged on bail. He undertakes to cooperate in the trial.

A report was called for from the learned court below with respect to the stage of trial. As per the report received contained in letter dated 20.10.2021 from the learned Judicial Magistrate 1st Class, Civil Court, Bhojpur at Ara, all the prosecution witnesses have been examined and the case is pending for defence evidence.

At this stage, it is submitted by learned counsel for the petitioner that as per oral instruction received, the defence witnesses have also been examined.

In view of the facts of the case, the trial having proceeded to a great extent, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

However, the learned trial court is directed to expeditiously conclude the trial preferably within a period of two months from the date of receipt of a copy of this order and/or conclusion of the examination of the defence witnesses, whichever is later.

(Partha Sarthy, J)

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