

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2857 of 2022

Arising Out of PS. Case No.-149 Year-2020 Thana- CHAUTHAM District- Khagaria

SAURABH KUMAR Son of Ramchandra Singh @ Ramchandra Pd. Singh
R/o Village - Patraha, P.S.- Choutham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-03-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 302, 504 and 34 of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner along with others is of having resorted to indiscriminate firing resulting in the death of the informant's father.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 12.7.2021 (Annexure-1) passed in Cr. Misc. no. 8270 of 2021. In spite of the petitioner being in custody since 5.6.2020, the trial is still continuing and there is no chance of the same concluding in the near future. Further referring to the contents of the supplementary affidavit, it is submitted on behalf



of the petitioner that the deposition of the prosecution witnesses have been brought on record, from perusal of which it would transpire that none of the prosecution witnesses have taken the name of the petitioner and thus it is submitted that there being no chance of the petitioner being convicted in the trial, he be enlarged on bail.

A report was called for from the learned trial Court. As per the report received contained in letter dated 7.2.2022 of the Additional Sessions Judge-III, Khagaria, eight witnesses have been examined on behalf of the prosecution and only the Investigating Officer of the case remains to be examined with the next date fixed being 15.2.2022.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the progress in the trial in the learned Court below, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to conclude the trial within a period of three months from the date of receipt/communication of this order.

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(Partha Sarthy, J)

