

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7271 of 2022

Arising Out of PS. Case No.-188 Year-2018 Thana- KATEYA District- Gopalganj

MATWAR SINGH Son of Balram Singh @ Bali Ram Singh Resident of
Village - Talpuraina, Mirjapur, P.s.- Marhaura, Distt.- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Earlier the prayer for bail of the petitioner was rejected vide order dated 24.06.2021 granting liberty to the petitioner to renew the prayer for bail if the trial is not concluded within a period of six months from the start of functioning of the Court physically.

Learned counsel for the petitioner submits that till date out of 12 charge-sheet witnesses only five witnesses deposed and the trial is not likely to be concluded in near future. It is his submission that the petitioner has remained in custody in this case for about 4½ years, therefore, he deserves privilege of bail.

On the other hand, learned A.P.P. for the State submits that in the nature of the materials present in this case, it would only be just and proper to allow some more time to the learned trial court to conclude the trial. Learned A.P.P. submits that the



allegation against the petitioner is serious in nature and the few months delay in conclusion of trial at this stage is not taken as solitary ground to enlarge the petitioner on bail.

Having regard to the entire materials available on the record, this Court is of the considered opinion that some more time be given to the learned trial court in this case to conclude the trial.

Let the trial court keep the records of this case on day to day basis and all endeavours be made to conclude the trial within next six months. The Superintendent of Police, Gopalganj is directed to ensure that all the prosecution witnesses are produced on the date fixed in the matter. If the prosecution witnesses do not appear and are not produced on the date fixed, it may be taken as a case of failure of the prosecution. If the trial still remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

