

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22731 of 2021

Arising Out of PS. Case No.-139 Year-2016 Thana- BARH District- Patna

MANISH KUMAR SINGH @ MANISH KUMAR @ MANISH SINGH Son
of Shiv Shankar Singh Resident of Village- Anand Golba, P.S.- Mohadinagar,
District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Sr. Advocate

Mr. Anil Chandra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 15-02-2022 Heard the parties through video conferencing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, who is in custody since 15.02.2018
seeks bail in connection with Barh P.S. Case No. 139 of 2016,
registered for the offence punishable under Sections 302, 394,
34 of the Indian Penal Code and Section 27 of the Arms Act,
pending in the Court of learned Addl. Sessions Judge-V, Barh,
Patna.

From perusal of the record, it appears that vide order
dated 31.01.2022, a report was called for regarding progress of
trial from the Court of learned Addl. Sessions Judge-V, Barh,
Patna. In compliance of the said order, vide letter No. 151, dated
06.09.2021, it has been reported that the trial is expected to be



concluded within twelve months.

Sri Sanjay Singh, learned Senior Counsel submits that the petitioner is under incarceration since 2017 and in this case he was remanded on 15.02.2018 and taking into consideration the long period of petitioner under incarceration, it will not be just and proper to keep the petitioner behind the bar, who is under trial.

Considering the facts and circumstances of the case and seriousness of the allegation as well as in view of the progress of the trial, which is to be concluded withing twelve months, as stated in the aforesaid letter of the learned Addl. District and Sessions Judge-V, Barh, Patna, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the prayer for grant of regular bail is rejected.

However, the learned trial Court is directed to conclude the trial expeditiously, well within a period of six months. If no substantial progress takes place in trial, the petitioner, if so advised, may renew his prayer for bail after six month.

(Purnendu Singh, J)

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