

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15096 of 2022

Arising Out of PS. Case No.-58 Year-2020 Thana- BAUSI District- Araria

Bijay Rathor, S/o Mahanand Rathor @ Mahanand Yadav Resident of Village-
Biri, Bhojpur, Police Station- Tarawari, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate

Mr. Dheeraj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 31-08-2022 Heard Mr. Rabindra Kumar Priyadarshi, learned
counsel for the petitioner and Mr. Prem Kumar Jha, learned
A.P.P. for the State.

At the outset, Mr. Rabindra Kumar Priyadarshi, learned counsel for the petitioner submitted that petitioner has not very fair criminal antecedent and, therefore, he submitted that it would be proper taking into consideration the allegation made against the petitioner under Sections 399, 400 and 402 of the Indian Penal Code and Section 25(a) / (1A)/(1-B)/ab/ 26(1) (2) / 35 of the Arms Act as well as the criminal antecedent of the petitioner stated in paragraph No. 3 of the bail application, the learned Court below may be directed to conclude the trial within any reasonable period of time.

Learned A.P.P. has no objection to above submission



made on behalf of the petitioner.

Considering the aforesaid submission made on behalf of the petitioner, without going into the merits of the case, the learned Court below is directed to conclude the trial well within the period of nine months. The petitioner has remained in custody since 06.06.2020. The petitioner is an under trial and he being under trial his right granted under Article 21 of the Constitution of India cannot be defeated for the reason that the petitioner has been made accused in about 22 criminal cases.

The Superintendent of Police, Araria is directed to produce the prosecution witnesses on each date fixed by the learned trial Court.

With above observation, the present bail application filed on behalf of the petitioner stands disposed of.

(Purnendu Singh, J)

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