

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33036 of 2021

Arising Out of PS. Case No.-50 Year-2018 Thana- ISUAPUR District- Saran

BUDHU MANJHI S/o Yogendra manjhi R/o village- Ram Chaura, Usari
Piparia, P.S.- Isuapur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 07-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner and others is of having indiscriminately assaulted the husband of the informant with *lathi*, *danda*, iron rod etc. leading to his death.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 16.8.2019 (Annexure-1) passed in Cr. Misc. no. 29178 of 2019 directing the learned trial Court to expedite the trial. The petitioner renewed his prayer for bail and vide order



dated 3.7.2020 passed in Cr. Misc. no. 16357 of 2020 the application for bail was once again rejected, giving liberty to the petitioner to renew his prayer for bail if the trial is not concluded within nine months. The trial has still not concluded and in view of the Covid-19 pandemic there is no chance of the same concluding in the near future. The petitioner has remained in custody since 1.8.2018 i.e for more than three years six months and undertakes to abide by the conditions which may be laid by this Court for his release on bail.

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

A report was called for from the learned trial Court. From the report received as contained in letter dated 13.1.2022 of the learned 4th Additional District Judge, Saran at Chapra, it transpires that three prosecution witnesses have been examined and the trial is expected to conclude within four months.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case and the contents of the report of the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial Court is directed to conclude the trial within four months from the date of receipt of a copy of this



order.

Liberty is granted to the petitioner to renew his prayer
for bail in the case the trial is not concluded within the aforesaid
period.

Bibhash/-

(Partha Sarthy, J)

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