

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21346 of 2022

Arising Out of PS. Case No.-102 Year-2019 Thana- PALI District- Jehanabad

Vijay Yadav S/o Sujay Yadav, R/o village- Amarpur Pali, P.S.- Pali, District-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Srivastava, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 21-12-2022 Heard learned counsel for the petitioner and the State.

Perused the report of the learned trial court received
vide letter no.384 dated 01.10.2022.

This is the 3rd attempt of the petitioner to obtain bail
in connection with Pali P.S. Case No.102 of 2019 registered for
the offences punishable under Section 302 read with Section 34
of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected with an
observation that if the trial is not concluded preferably within a
period of six months from the date of communication of this
order, the petitioner may renew his prayer for bail.

Learned counsel submits that till date only one
prosecution witness has been examined.

Learned counsel for the State submits that the prayer



for bail of the petitioner was rejected considering the seriousness of the offences alleged against him. The trial court's report says that the trial is likely to be concluded within a period of nine months.

Having regard to the facts and circumstances of the case wherein this Court finds that the petitioner is in custody for above three years four months but the trial has yet not been concluded, as a matter of last opportunity for the prosecution, this Court directs that let the trial be concluded within a period of six months from the date of communication of this order. The prosecution must produce all the witnesses and the learned trial court is directed to keep the records on day to day basis.

If the trial is still not concluded within the aforesaid period, the petitioner may renew his prayer for bail in the learned trial court itself which will be considered and disposed of on its own merit without being prejudiced by the fact that this Court has not granted bail to the petitioner on earlier occasion.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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