

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24906 of 2022

Arising Out of PS. Case No.-45 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAJESH SINGH @ RAJESH KUMAR @ SINGH S/o Ram Narayan Singh
R/o village- Khamhar, P.S.- Mufasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.
For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-08-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner is said to have fired hitting Neeraj Kumar in his chest as a result of which he fell and died.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 02.08.2021 (Annexure-1) passed in Cr. Misc. no.32866 of 2020 wherein taking note of the fact that only the Investigating Officer of the case remained to be examined, this Court had directed to expeditiously conclude the trial within six



months. Inspite of more than one year having passed the trial has still not concluded and as such it is prayed that the petitioner who is in custody since 8.3.2019 be enlarged on bail.

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

As per the report received contained in letter dated 13.7.2022 of the Additional District Judge-I-cum-Special Judge, NDPS Act, Begusarai, a petition has been filed by the defence on 4.7.2022 for recalling P.W.6 Ambika Prasad, Investigating Officer of the case for further cross examination.

In view of the allegation against the petitioner together with the contents of the report received from the learned trial Court from which it transpires that it was the defence who has filed a petition for recall of the Investigating Officer of the case for further cross- examination, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expeditiously conclude the trial.

Bibhash/-

(Partha Sarthy, J)

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