

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34896 of 2021

Arising Out of PS. Case No.-98 Year-2019 Thana- CHAORI District- Bhojpur

Shankar Sah, Son of Baban Sah @ Baban Sao, resident of Village-
Dhanchhuha, P.S. Chauri, District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 11-02-2022 The applicant is an accused in Sessions Trial No. 28 of 2020 arising out of Crime No. 98 of 2019 registered with Chauri Police Station for the offences punishable under Sections 304(B) and 201 r/w Section 34 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. She argued that the applicant is behind the bars since long and this Court had directed the learned trial court to conclude the trial within within a period of nine months. However the same is not concluded and therefore she has moved the instant application.

Vide order dated 27.01.2022, this Court had sought explanation of the learned trial court as to why the trial was



not concluded within the prescribed period.

This Court has received the explanation from the learned trial court. The learned trial court has stated that the order expediting the trial was not brought to the notice of the court. Explanation of the concerned clerk was sought and he had accepted the fact that the order of this Court was not placed to the court by him.

My learned predecessor vide order dated 01.07.2020 was pleased to reject the application for bail by holding that considering the nature of allegation, the applicant is not entitled for bail. This Court cannot review the said order in the light of the averments that the applicant is entitled for bail because the trial is not concluded as per the direction of this Court.

In this view of the matter, the application stands rejected. The learned trial court is directed to dispose of the trial within a period of three months from today and to submit a compliance report to this Court immediately on getting the trial concluded within a period of three months as directed.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the



applicant/accused.

Bhardwaj/-

(A. M. Badar, J)

U		T	
---	--	---	--

