

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41275 of 2021

Arising Out of PS. Case No.-74 Year-2019 Thana- MEHANDIGANJ District- Patna

SURAJ KEWAT S/O DHARMENDRA KEWAT @ DHARMENDRA
KUMAR R/O BHITTA KUAN, MEHNDIGANJ, P.S-MEHNDIGANJ,
DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Kanhaiya Kishore, APP
	Mr. Parmeshwar Vishwakarma, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 307 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, on the orders of Rinku Devi, the petitioner is stated to have assaulted the son of the informant indiscriminately with a dagger. On the son of the informant dying subsequently, section 302 of the Indian Penal Code was added.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 4.3.2020 (Annexure-1) passed in Cr. Misc. no. 63695 of 2019 directing the learned trial court to expedite the trial and conclude the same within one year from the date of receipt of the



order. It is submitted that inspite of 1 year 10 months having passed since passing of the said order, there is no progress in the learned trial court and no witness has been examined on behalf of the prosecution.

From the report received from the trial court contained in letter dated 18.1.2022 of the learned Addl. Sessions Judge IV, Patna City, Patna, it transpires that on account of the accused Dharmendra Kewat not having turned up, charge has not been framed as yet. In response, it is submitted by learned counsel for the petitioner that Dharmendra Kewat who happens to be the father of the petitioner is regularly appearing in the learned court below.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations against this petitioner of having inflicted many blows with a dagger on the son of the informant, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

Spd/-

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