

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.50391 of 2021**

Arising Out of PS. Case No.-29 Year-2018 Thana- RAJNAGAR District- Madhubani

SAMPATI CHAUDHARY, SON OF LATE RAM LOCHAN CHAUDHARY,
Resident of Village - Nijamat, Bhat Simar, P.S.- Raj Nagar, Distt.-
Madhubani. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 05-01-2022 Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the Stamp Reporter within
four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

This is the fourth attempt of the petitioner to obtain
regular bail in connection with Rajnagar P.S. Case No. 29 of 2018
(CRI No. 225/18) registered for the offences punishable under
Section 341, 323, 325, 302/34 of the Indian Penal Code. The
petitioner is in custody since 08.02.2018. He has otherwise no
criminal antecedent.

Earlier his prayer for regular bail was rejected by this
Court in Cr. Misc. No. 32446 of 2018, Cr. Misc. No. 17148 of
2019 and Cr. Misc. No. 37054 of 2020. The last rejection was on
03.03.2021 after taking note of the fact that by that time five non-



official prosecution witnesses had already been examined. This Court observed that if the trial is not concluded within a period of four months for no reason attributable to the petitioner, he may renew his prayer for bail.

It is a matter well known to everybody that after passing of the order by this Court on 03.03.2021 the second wave of Covid-19 broke out and the functioning of the Court were badly affected. It appears at this stage that all the prosecution witnesses have been examined and the prosecution evidence has been closed. The materials which have come in course of prosecution evidence are not before this Court. The trial is definitely at the fag-end and is likely to be concluded soon as it appears from the stage of trial. In such circumstances, this Court is not inclined to release the petitioner on bail.

The trial court is directed to conclude the trial as early as possible preferably within a period of two months from the date of communication of this order, failing which the petitioner may renew his prayer for bail before the learned court below itself.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

