

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50538 of 2021

Arising Out of PS. Case No.-259 Year-2019 Thana- SOHSARAI District- Nalanda

Nitish Kumar, aged about 23 years, Son of Nandu Paswan Resident of Mohalla-Ashanagar, P.S.-Sohsarai, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rudal Singh, Adv.

For the Opposite Party : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 16-02-2022 The matter has been listed today for consideration through Video Conferencing.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in *Sohsarai* P. S. Case No. 259 of 2019 arising out of S.T. No. 166 of 2020, instituted for the offence punishable under Section(s) 147,148,149, 448 and 307 of the Indian Penal Code and Section 27 of the Arms Act. Later on, Section 302 of the Indian Penal Code was added.

This Court vide order dated 15.12.2021 had called for a



report regarding stage of trial from the learned Trial Court. The same has been received and kept at Flag- 'A'.

03 out of 05 non-official witnesses have already been examined as per report dated 05.01.2022 submitted by the learned 1st Additional District and Sessions Judge, Bihar Sharif (Nalanda).

Earlier, petitioner's prayer for bail was rejected by this Court vide order dated 22.03.2021 passed in Cr. Misc. No. 39469 of 2020 having regard to the dying declaration of the deceased, wherein, he supported the allegations of firing upon him by the petitioner.

In the circumstances, this Court is of the opinion that the Court below would make all endeavours to conclude the trial expeditiously without any unnecessary adjournments or undue delay.

The application stands dismissed with the aforesaid observation.

(Madhuresh Prasad, J)

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