

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54598 of 2021

Arising Out of PS. Case No.-36 Year-2013 Thana- KHAIRA District- Saran

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KANHAIYA RAI SON OF KEDAR PRASAD RAI R/O VILLAGE-
MAKSUSPUR, P.S.- KHAIRA, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the Informant	:	Mr. Ravi Prakash, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 08-04-2022 Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the informant through

video conferencing.

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

It is submitted by learned counsel for the petitioner
that the earlier application for bail of the petitioner was rejected
vide order dated 29.8.2014 passed in Cr. Misc. no. 6966 of
2014, order dated 18.1.2017 passed in Cr. Misc. no. 43371 of
2015 and order dated 13.4.2021 passed in Cr. Misc. no. 23615
of 2021.

The allegations against the petitioner is of being the
assailant, the allegations being confirmed from the contents of



the postmortem report.

It is submitted by learned counsel for the petitioner that inspite of his being in custody since 30.5.2013 the trial in the learned trial court is still continuing and there is no chance of the same concluding in the near future.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the trial is near its conclusion.

A report was called for from the learned trial court. As per the report received contained in letter dated 28.1.2022, only one witness remains to be examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the stage of the trial, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial court is directed to conclude the trial within three months.

(Partha Sarthy, J)

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