

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54740 of 2021

Arising Out of PS. Case No.-124 Year-2007 Thana- SHEOHAR District- Sheohar

Shri Niwash Singh @ Ram Niwash Singh Son Of Ramvijay Singh @ Vijay Singh R/O Village- Fatahpur, P.S. And District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanke, Advt

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 05-05-2022 Let the defects, if any, be removed within four weeks from today.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection with Session trial no. 115 of 2016 arising out of Sheohar P.S.Case No. 124 of 2007 for the offences punishable under Sections 307 and 302 of the Indian Penal Code.

It is submitted on behalf of the learned counsel for the petitioner that there is allegation against the petitioner that he inflicted chura blow in the abdomen of informant, as a result of which he succumbed to injuries.

Earlier, twice the petitioner approached this Hon'ble Court for grant of regular bail which was rejected on 13.02.2017



in Cr. Misc. No.2550 of 2017 and again rejected on 17.06.2020 in Cr. Misc. No.69343 of 2019. While rejecting the prayer for bail of the petitioner on 17.06.2020 the Hon'ble Court have been pleased to observe that petitioner is at liberty to renew his prayer for bail if his trial is not concluded within a period of seven months. Learned counsel for the petitioner submitted that now almost one year ten months have been lapsed but till date trial has not been concluded.

On the other hand, learned counsel for the State submits that F.I.R has been instituted way back in the year 2007 but as the petitioner remained absconder, the delay has occurred in conclusion of the trial. It is also submitted that there is specific allegation against this petitioner that he inflicted Chura blow in the abdomen of the informant.

Having heard the rival contentions of the parties and taking into consideration the fact that earlier vide order dated 31.03.2022, a report was called for with regard to the present stage of trial and from perusal of the report, it appears that the learned court has expected that the trial would be concluded within three months. This Court having considered the report and taking into the accusation made against the petitioner direct the learned court concern to conclude the trial within the



expected period prescribed by him. At present, this Court is not inclined to enlarge the petitioner on bail and accordingly, his prayer for bail is rejected with the liberty to renew his prayer for bail after three months if the trial is not concluded under the aforesaid period.

(Harish Kumar, J)

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