

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48657 of 2022

Arising Out of PS. Case No.-390 Year-2019 Thana- MANIHARI District- Katihar

Md. Jafar Son Of Md. Usman Resident Of Village - Baulia Gumti
Narayanpur, P.S.- Manihari, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

5 23-11-2022 Heard learned counsel for the parties.

This application for regular bail arises out of Manihari
P.S. Case No. 390 of 2019, disclosing the offence punishable
under Section 307 and other allied Sections of the Indian Penal
Code and Sections 25(1-b)a/26/27 of the Arms Act.

The petitioner's prayer for regular bail was earlier
rejected twice by this Court by orders dated 04.09.2020 and
17.11.2021 passed in Cr. Misc. No. 22306 of 2020 and Cr. Misc.
No. 44521 of 2021 respectively. This is third attempt for grant
of regular bail.

Learned counsel appearing on behalf of the petitioner
has submitted that as the petitioner has remained in custody for
more than three years and the trial is yet to be concluded, he



should be granted privilege of bail.

A report was called for under the orders of this Court from the court below as regards present stage of trial. The report has accordingly been received from the learned Additional Sessions Judge V, Katihar dated 04.11.2022, from which it transpires that two prosecution witnesses have already been examined out of thirteen named in the charge-sheet.

Considering the fact that the trial in progress, in my opinion, it is not desirable to direct for release of the petitioner on bail keeping in mind the fact that the petitioner has criminal antecedents, inasmuch as, he is accused in at least three cases of serious nature.

This application is accordingly dismissed with an observation that let the conclusion of the trial be expedited. If, there is no further satisfactory progress in the trial within six months from today the petitioner shall be at liberty to renew his prayer for bail.

(Chakradhari Sharan Singh, J)

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