

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49605 of 2022

Arising Out of PS. Case No.-49 Year-2019 Thana- ISHIPUR District- Bhagalpur

MANIKANT PANDEY S/O LATE HARERAM PANDEY Resident of
village- Sri Nagar, P.S.- Ishipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-11-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Sessions Trial No. 537 of 2019, arising out of Ishipur Police Station Case No. 49 of 2019, registered for the offences punishable under Sections 302/307/324/120-B/34 of the Indian Penal Code.

This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was rejected by this Court, vide order, dated 10.11.2020, passed in Criminal Misc. No. 27783 of 2020, giving liberty to the petitioner to renew his prayer for bail after one year from the date of the order, if the trial does not record any progress.



The allegation, as per the First Information Report, is that when the son of the informant was sleeping with his mother, the petitioner came and slit the throat of the son of the informant.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court in the order dated 10.11.2020. He further submits that the petitioner is in custody since 21.05.2019, having no criminal antecedent and only two witnesses have been examined during the trial.

This Court, vide order, dated 21.09.2022, had called for a report from the learned Court below regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned 15th Additional Sessions Judge, Bhagalpur, and from perusal of the same, it appears that out of 07 chargesheeted witnesses, 05 have been examined and only 02 are yet to be examined and the learned Trial Court has given the estimated time for completion of the trial within six months.

After having heard learned Counsel for the parties and taking into consideration the report of the learned Trial Court that the trial is likely to be concluded within a period of six months as only two prosecution witnesses are yet to be



examined during the trial, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial is not concluded by that period.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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