

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52835 of 2022**

Arising Out of PS. Case No.-147 Year-2019 Thana- RAFIGANJ District- Aurangabad

=====

UMER ALAM SON OF ZUBAIR AHAMAD @ JUBAIR ALAM @  
JUBAIR AHMAD R/O VILLAGE - BELA, P.S.- BELAGANJ, DISTRICT-  
GAYA, AT/P R/O VILLAGE- KALI ASTHAN, DEST SPOKEN CARE  
POINT COACHING CENTER, BABUGANJ, P.S.- RAFIGANJ, DISTRICT-  
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      07-12-2022                      Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of  
bail in a case registered under section 366 of the Indian Penal  
Code.

The earlier application for bail of the petitioner was  
rejected vide orders dated 10.8.2021 and 30.3.2022 passed in Cr.  
Misc. no.12530 of 2021 and Cr. Misc. no.3702 of 2022  
respectively.

As per the prosecution case, the petitioner was  
running a coaching centre. The allegation against the petitioner  
is of having kidnapped the daughter of the informant who is still  
traceless.



It is submitted by learned counsel for the petitioner that inspite of the petitioner having remained in custody since 23.11.2019, the trial has still not concluded and there is no chance of the same concluding in the near future. It is further submitted that inspite of the direction of this Court in it's order dated 30.3.2022 to conclude the trial within three months, more than eight months have passed but the trial has not concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and on perusal of the material on record, it transpires that five prosecution witnesses have been examined and the case was fixed for argument on 28.11.2022.

In view of the nature of allegation and specially the progress in the trial in the learned trial court, wherein arguments are being made on behalf of the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to conclude the trial within a period of four months from the date of receipt/communication of a copy of this order.

In case the trial is not concluded within the aforesaid period for no fault of the petitioner, the petitioner will be at



liberty to renew his prayer for bail before the learned trial court and on the petitioner preferring an application, the same shall be considered without any prejudice by the order of rejection of the petitioner’s bail application by this Court.

**(Partha Sarthy, J)**

Saurabh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

