

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63553 of 2021

Arising Out of PS. Case No.-468 Year-2019 Thana- BARHARA District- Bhojpur

NITYANAND SINGH Son of Late Bhokhari Singh @ Tarkeshwar Singh @
Bansropan Singh Resident of village - Nathmalpur , P.s.- Barhara, Distt.-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 02-02-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks after restoration of normalcy.

Heard learned counsel for the petitioner and the State
through virtual mode.

The petitioner seeks bail in Barhara P.S. Case No. 468 of 2019
registered under Sections 302, 386, 120B, 34 of the Indian Penal
Code and 27 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that the
petitioner and the co-accused were said to have fired upon the
deceased. The postmortem report was also corroborated with the



allegation made in the FIR.

A report was called for from the trial court.

It has been reported that two prosecution witnesses have already been examined and the trial is likely to be concluded within a period of five months.

Considering the nature of accusation and stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner is rejected.

Learned trial court is directed to take all necessary steps to conclude the trial preferably within a period of five months from the date of receipt/production of copy of this order.

The District Magistrate and the Superintendent of Police, Bhojpur at Ara are directed to ensure the production of witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period of five months.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Bhojpur at Ara for needful.

(Sudhir Singh, J)

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