

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65054 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- KALYANPUR District- Samastipur

1. RAJA RAI S/O BATAHU RAI R/o village- Purushottamur, P.S.- Kalyanpur, Distt.- Samastipur
2. Birendra Rai S/o Batahu Rai R/o village- Purushottamur, P.S.- Kalyanpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 02-02-2022 Heard the learned counsel for the petitioners and

the learned APP for the State.

The petitioners seek bail in connection with a

Sessions Trial arising out of Kalyanpur P.S. Case No.

70/2020 instituted for the offences under Sections 341,

323, 307, 34, 324, 302, 447 and 504 of the Indian Penal

Code.

The prayer for bail of the petitioners was earlier

rejected vide order dated 15.12.2020 passed in Cr. Misc.

No. 33436 of 2020

The petitioners are in custody since 16.04.2020.



This Court had called for a report about the stage of the case from the court below vide order dated 22.12.2021. The report dated 07.01.2022 indicates that four witnesses uptil now have been examined and there is every likelihood of trial being concluded in near future.

Considering the afore-noted stage of the trial and the nature of accusation against the petitioners, I am not inclined to grant bail to them.

The prayer for bail is rejected.

However, if there is no substantial progress in the trial within the next six months, it would be open for the petitioners to move the Trial Court for grant of bail and in that event the Trial Court shall under an obligation to record the reasons for tardy progress of trial.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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