

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71856 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- BANIAPUR District- Saran

Sanjay Kumar Das @ Sanjay Das, Son Of Chhathu Das, Resident of Village-
Kamta, P.S- Baniyapur, Dist- Saran (Chhapra) Petitioner
Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Raj Ballabh Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Baniyapur P.S. Case No. 92 of 2020 (S. Tr. No. 236 of 2020) registered for the offences punishable under Section 304(B)/34 of the Indian Penal Code. He is in custody since 24.06.2021. He has no criminal antecedent.

Even as learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case, this Court has been informed that the trial has already proceeded and four witnesses have been examined so far and now only two official witnesses have remained to be examined.

Learned APP for the State submits that since the trial itself is likely to be concluded very soon, this Court may direct the learned



trial court to conclude the trial within a reasonable period.

Having regard to the fact that the petitioner is the husband of the deceased and at this stage, the trial has already proceeded and is in advance stage where now two official witnesses are to be examined, this Court is not inclined to direct release of the petitioner on bail particularly when those materials which have come in course of trial are not before this Court.

This will, however, not prejudice the case of the petitioner. Let the trial court shall proceed with the trial by keeping the records on shorter dates and all endeavours be made to get presence of the official witnesses on the date fixed in the matter. All concerned will cooperate in producing the witnesses on the date fixed in the matter.

If the trial still remains unconcluded within a period of four months from the date of communication of this order, the petitioner may renew his prayer for bail in the learned court below itself which will be considered on the basis of the materials collected in course of trial.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

