

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71187 of 2021**

Arising Out of PS. Case No.-56 Year-2019 Thana- LAKHISARAI District- Lakhisarai

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SUBHAS YADAV S/O CHARITRA YADAV @ CHALITRA YADAV, R/o  
village- Bhavariya, P.S.- Ramgarh Chowk, District- Lakhisarai. At present R/  
o village- Tarchha Muhalla, P.S. and Distt.- Sheikhpura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mayank Bilochan

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3      09-02-2022                      Heard   Mr.   Mayank   Bilochan,   learned  
  
advocate for the petitioner and learned APP for the  
  
State.

The petitioner has renewed his bail in  
connection with Sessions Trial No. 60 of 2020,  
arising out of Lakhisarai (Ramgarh Chowk) P. S.  
Case No. 56 of 2019.

The prayer for bail was earlier rejected  
*vide* order dated 02.11.2020 passed in Cr. Misc.  
No. 4467 of 2020.

While rejecting the prayer for bail, this  
Court had directed the trial court to conclude the  
trial preferably within a period of one year from the

date of production/receipt of a copy of the order of this Court and had given permission to the petitioner to approach the trial court for grant of bail if there would be no substantial progress in the trial and which delay would not be attributable to the petitioner.

The petitioner moved before the trial court for grant of bail because the trial had not been concluded within the time frame fixed by the Court.

The reason assigned by the trial court is that the delay was because of the Covid 19 pandemic and the closure of Courts for a long time.

This Court had called for a report about the stage of the case from the court below.

The report dated 19<sup>th</sup> of January, 2022 indicates that four out of the five charge-sheet witnesses including the doctor who conducted the post-mortem have already been examined. The case is pending examination of the Investigation Officer and one more witness.

The last fixed before the trial court was

11<sup>th</sup> of January, 2022 when no witness came forward and the case had to be posted for 31<sup>st</sup> of January, 2022.

However, considering the nature of accusation against the petitioner, I am not inclined to grant bail to him for the present.

However, the trial court is directed to conclude the trial positively within the next four months, failing which the petitioner shall have the liberty to approach this Court for grant of bail.

The application stands disposed off accordingly.

**(Ashutosh Kumar, J)**

skm/-

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