

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8987 of 2023

Arising Out of PS. Case No.-312 Year-2020 Thana- TAJPUR District- Samastipur

Manish Sahani @ Manik Sahani @ Manik Lal Sahni Son Of Ramchandra Sahani @ Ramchandra Sahni R/O Village- Mirjapur, P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajdeep, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 12-04-2023 Heard Mr. Kumar Rajdeep, learned counsel appearing on behalf of the petitioner and Mr. Sunil Kumar Pandey, learned A.P.P. appearing on behalf of the State.

2. The petitioner has renewed regular bail in connection with Tajpur P.S. Case No. 312 of 2020, for the offence punishable under Section 302/34 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner submitted that there is very slow progress in the conduct of trial. The case was registered in the year 2022 and no progress has taken place in the conduct of the trial. He further submitted that similarly situated co-accused have been released on bail by a coordinate Bench of this Court vide order dated 26.08.2021 passed in Criminal Miscellaneous No. 12975 of 2021. The petitioner is in custody since 04.11.2020. On these grounds, he seeks to be enlarged on regular bail by this Court.



4. A report was called for regarding stage of the trial from the learned Court below and in compliance of the same, the learned District & Sessions Judge, Samastipur vide letter No. 30, dated 13.03.2023 informed that out of ten prosecution witnesses, four witnesses have been examined and summons against the remaining witnesses have already been issued. The trial has proceeded considerably.

5. Considering the facts and circumstances of the case as well as the fact that petitioner is facing trial for offence allegedly to have been committed under Section 302 of the Indian Penal Code, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the prayer for grant of regular bail is rejected.

6. However, the learned trial Court is directed to conclude the trial expeditiously. The Superintendent of Police, Samastipur is directed to produce the prosecution witnesses on each and every date fixed by the learned trial Court.

7. With above observation, the application filed on behalf of the petitioner stands disposed of.

(Purnendu Singh, J)

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