

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33066 of 2023

Arising Out of PS. Case No.-596 Year-2019 Thana- MADHAURAH District- Saran

Navneet Singh @ Virat Singh @ Navneet Kumar Singh Son of Vinay Singh
@ Vinay Kumar Singh Resident of Village- Mishrawaliya, P.S.- Jalalpur,
District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
	:	Mr. Anil Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, APP
For the Informant	:	Mr. Udai Shankar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 12-07-2023 Heard learned counsel appearing on behalf of the parties.

This is second bail petition of petitioner, where his first prayer of bail was rejected by this Court vide order dated 27.07.2022 as passed in Cr. Misc. No. 59421 of 2021.

It is submitted by learned senior counsel appearing on behalf of petitioner that while rejecting the prayer of bail as aforesaid it was directed by this Court to the learned Trial Court to conclude the trial, within a period of nine months from the date of receipt of said order, by taking the matter on board on day to day basis but despite of all such directions matter was not taken on board on day to day basis. It is further submitted that



specific direction was given to Superintendent of Police, Saran also to produce the chargesheeted witnesses as and when directed by the learned Trial Court, but trial was not concluded and as such petitioner cannot be kept behind the bars for unlimited period of time. While arguing over the matter learned senior counsel further submitted that even the rejoinder/reply of the application moved under Section 311 of the Cr.P.C. by one of the co-accused was filed by prosecution before the learned Trial Court after one year and it is sufficient to show delay attitude as how the State is going with present prosecution, where petitioner is in custody since 04.05.2021.

Learned APP duly assisted by learned counsel appearing on behalf of informant, while opposing the prayer for bail fairly conceded that trial is not likely to conclude in near future.

In view of the facts and circumstances as mentioned above as, despite of all possible directions of this Court to expedite trial, same was not concluded within specified period of nine months, where conduct of prosecution is not appearing serious in terms of averments as made out in para 4 of the second supplementary affidavit of the petitioner filed on 10.07.2023, as to conclude trial in near future, accordingly



petitioner, above named, is directed to be released on bail in connection with Mahaurah P.S. Case No.596 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- IVth, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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