

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39329 of 2023

Arising Out of PS. Case No.-85 Year-2020 Thana- BALUA BAZAR District- Supaul

ANIL DAS SON OF BADRI DAS RESIDENT OF VILLAGE-
BHAGWANPUR, WARD NO.8, P.S. CHHATARPUR, DIST-SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for regular bail in connection with Sessions Trial no.123 of 2021 (arising out of Balua Bazar P.S. Case no.85 of 2020) registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is said to have given a spade blow on the son of the informant leading to his death.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 12.4.2022 passed in Cr. Misc. no.45835 of 2021. In spite of the petitioner being in custody since 15.12.2020 and cooperating in the trial, the same is still continuing. There is no chance of the trial concluding in the near future. He undertakes



to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. As per the report received from the learned Additional Sessions Judge I, Supaul as contained in his letter no.133/2023 dated 1.8.2023, it transpires that 7 out of the 8 prosecution witnesses named in the chargesheet have been examined and only the investigating officer of the case remains to be examined.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the progress in the trial in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. If the investigating officer of the case, who is the only witness who remains to be examined on behalf of the prosecution, has not already been examined, the Superintendent of Police, Supaul shall ensure his examination in the learned trial Court on the next date fixed in the trial.

9. Let a copy of this order be communicated to the Superintendent of Police, Supaul for its compliance.

(Partha Sarthy, J)

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