

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43376 of 2022

Arising Out of PS. Case No.-129 Year-2015 Thana- MOTIPUR District- Muzaffarpur

RAM SAGAR RAM S/o Kayeel Ram R/o village- Sinduari Ganj Singh, P.S.-
Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, adv.,

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 23-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Sessions Trial No. 399 of 2016 arising out of Motipur P.S. Case
No. 129 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 341, 342, 379, 324, 307 and 302 of the
Indian Penal Code and Sections 3(1)(x)/3(2)(v) of the SC/ST
Act.

As per the prosecution, the informant's husband was
abused and assaulted by this petitioner by means of 'Tangi' and
other co-accused persons by means of lathi, danda, fists etc., as
a result of which the informant's husband succumbed to the
injuries and the said assault took place with regard to a land
dispute running between both the parties.

The main submissions advanced by the learned



counsel Mr.Hari Kishore Thakur for the petitioner are that the petitioner has been languishing in jail since 08.05.2018 and he has completed about five years in jail and previously he had filed Cri. Misc. No. 66509 of 2018 for the relief of bail which was rejected by this court and the trial court was directed to expedite the petitioner's trial and according to report of trial court almost all the witnesses have been examined except two witnesses and during the custody period the petitioner's health condition did not remain good and has spent a long period including the Covide-19 period in jail.

Learned APP Suresh Prasad Singh, appearing for the State has opposed the bail prayer and submitted that the petitioner's trial is at advance stage.

In view of the report of the learned trial court which shows that out of eleven prosecution witnesses, nine witnesses have been examined and only two witnesses remain to be examined, so at this advance stage of trial it will not be proper to release the petitioner on bail. Accordingly, his bail prayer stands rejected.

The trial court is directed to expedite and conclude the petitioner's trial in the next two months from the date of this order. If due to some unavoidable circumstance the petitioner's



trial is not concluded within the said period then the petitioner
may renew his bail prayer.

(Shailendra Singh, J)

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