

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3083 of 2023**

Arising Out of PS. Case No.-122 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Prahalad Kumar Prasad @ Sonu Son of Late Mahendra Prasad Mahto @
Mahendar Prasad Resident Of Village- Panchi, P.S. - Sheikhopur Sarai,
(Shekhopur Sarai) District - Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar
2. Bharat Manjhi Son Of Late Dinesh Manjhi Resident Of Village- Panchi, Ps -
Sheikhopur Sarai, (Shekhopur Sarai) District - Sheikhpura

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Bharat Lal, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Spl.PP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 13-10-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

It is pointed out by learned counsel appearing on behalf of the appellant that the prayer for bail of the appellant is required to consider on second occasion for the reason that the trial was not concluded within nine months as directed while rejecting earlier prayer for bail of the appellant through Cr. Appeal (SJ) No. 706 of 2022 dated 28.09.2022. The appellant is in custody since 12.01.2022.

Report dated 02.09.2023 of learned 1st Additional District & Sessions Judge, Sheikhpura suggest that the trial court was vacant from 30.07.2022 to 02.07.2023.



Considering that the trial court was vacant which appears from the report of learned 1st Additional District & Session Judge, Sheikhpura dated 02.09.2023 as made available to this Court through letter no. 32, the trial court is further directed to conclude the trial within nine months as of now, by taking this matter on board on day to day basis, as directed earlier.

In view of the above, the prayer for bail of the appellant is rejected for the present.

(Chandra Shekhar Jha, J)

Sanjeet/Rajeev-

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