

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46822 of 2022**

Arising Out of PS. Case No.-79 Year-2020 Thana- BARHIYA District- Lakhisarai

Rocky Singh @ Manish Singh, son of Pappu Singh @ Rakesh Kumar Singh,  
resident of village – Khuthadih, P.S. - Barahia, District – Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                          |   |                                                          |
|--------------------------|---|----------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Sanjay Kumar, Advocate<br>Mr. Mukesh Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Dr. Ajeet Kumar, APP                                 |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      03-05-2023                      Call for a report from the court of learned District Judge, Lakhisarai in connection with Sessions Trial No. 78 of 2020 arising out of Barahiya P.S. Case No. 79 of 2020 as to the present stage of the case.

It appears from the order dated 03.09.2022 passed by learned ADJ-I, Lakhisarai that on the said date, the defence witness Baby Devi was present on behalf of the defence but she was not examined showing paucity of time.

This Court as well as the Hon'ble Apex Court has been reminding the learned court below that the witnesses should not be allowed to go back but in this case this Court finds that the witness has been returned.

Let a report be submitted to this Court in this



regard.

This is the third attempt of the petitioner to obtain bail in connection with Sessions Trial No. 78 of 2020 arising out of Barahiya P.S. Case No. 79 of 2020 dated 16.04.2020 registered for the offences under Sections 147, 148, 149, 307, 323, 341 of the Indian Penal Code & later on added under section 302 of the Indian Penal Code. The petitioner is in custody since 11.12.2020. He has no criminal antecedent.

Earlier, this Court has rejected the prayer for bail of the petitioner after considering the allegations against the petitioner.

In this case, the prosecution evidence has already been closed on 07.06.2022 and the defence witness was returned on 03.09.2022.

Learned counsel for the petitioner submits that he would produce all the defence witnesses if the case is taken up on two dates with short intervals.

The trial court is, therefore, directed to record the evidence of the defence witness as early as possible and all endeavours be made to conclude the trial within a period of



two months from the date of receipt/production of a copy of  
this order.

This application stands disposed of accordingly.

Registry shall place the report for perusal on  
17.05.2023.

**(Rajeev Ranjan Prasad, J.)**

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