

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47176 of 2023

Arising Out of PS. Case No.-413 Year-2021 Thana- RAXAUL District- East Champaran

Jhokhu Rai @ Jokhu Rai S/o Late Babulal Rai R/o Village- Siswa, P.S-
Raxaul, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 08-09-2023 Heard Ld. counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Raxaul P.S. Case No. 413 of 2021 arising out of S. Tr. No. 348 of 2022, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is that the Petitioner along with his associates assaulted the informant's husband with lathi and bamboo, due to which he died.

4. Ld. counsel for the petitioner submits that the petitioner had moved this Court earlier for regular bail vide Cr. Misc. No. 13726 of 2022, which was rejected directing the Trial Court to expedite the trial. He further submits that since the trial has not been concluded yet, the petitioner, vide present application, has



renewed his prayer for bail.

5. Ld. counsel for the petitioner submits that the trial is at the stage of examination of prosecution witnesses and six witnesses including the informant have already been examined and trial is likely to be concluded at the earliest.

6. Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on bail at this stage.

7. However, if the trial is not concluded within six months, the Court below will have to explain why trial has not been concluded and the petitioner will have liberty to move his prayer for bail.

8. Ld. Counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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