

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54017 of 2022

Arising Out of PS. Case No.-157 Year-2020 Thana- SAKRA District- Muzaffarpur

Vicky Kumar, Son of Nand Kishore Rai, R/O Village- Shiv Nagar, P.S.-
Tephi, District- Muzaffarpur Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

By filing this application, the petitioner has renewed his prayer for regular bail in connection with Sessions Trial No. 472 of 2022 arising out of Sakra P.S. Case No. 157 of 2020 registered for the offences punishable under Sections 302/201 of the Indian Penal Code. The petitioner has no criminal antecedent. He is in custody since 01.06.2020.

Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 27.07.2021 passed in Cr. Misc. No. 112 of 2021 with an observation that all endeavours be made to conclude the trial within a period of one year from the date of start of normal functioning of the court and in case the trial remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

A report has been received from the learned Incharge



12th Additional Sessions Judge, Muzaffarpur from which it appears that the prosecution has produced one witness who has been examined and has remained partly cross-examined. The court of 12th Additional District and Sessions Judge is vacant since 11.04.2022.

Considering that the independent witnesses of this case are still to be examined, in the nature of the allegations, this Court is not inclined to release the petitioner on bail at this stage.

The learned Additional District and Sessions Judge, Muzaffarpur shall ensure that either the records of the case is transferred to any other court to facilitate the progress in trial or make the Incharge court to continue with the trial and record the evidences of the witnesses as and when produced. All endeavours be made to conclude the trial within a period of six months from the date of receipt/communication of a copy of this order.

If the trial is not concluded in the aforesaid period, it will be open for the petitioner to apply for bail in the learned trial court, if so advised.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

