

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55605 of 2022

Arising Out of PS. Case No.-559 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

VIJAY KUMAR MANDAL @ VIJAY MANDAL S/O LATE BANARSI
MANDAL R/O VILLAGE- MOHANPUR, P.S.- GORADIH, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta, Advocate
For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The present petition is by way of third attempt at the behest of the petitioner for grant of bail in connection with Session Trial No. 499/2019 arising out of Jagdishpur (Goradih) P.S. Case No. 559 of 2018 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 302 and 506 of the Indian Penal Code inasmuch as the earlier prayers of the petitioner for grant of bail have all been rejected by this Court.

The allegation in the present case is regarding the accused persons including the



petitioner having beaten the deceased i.e. the husband of the informant with butt of pistol and gun resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 28.03.2019, and there is no progress in the trial, hence the petitioner be granted the privilege of bail.

This Court had called for a report from the learned court below with regard to the present stage of the trial and the time likely to be consumed for completion of the same, in pursuance whereof a report dated 23.11.2022 has been furnished by the learned court of Additional District and Sessions Judge-XIII, Bhagalpur, wherein it has been stated that out of six prosecution witnesses, five have been examined and the trial would definitely be concluded within next six months.

Under such circumstances, I direct the learned trial court to ensure examination of the remaining witnesses within a period of four weeks



from today, failing which appropriate action shall be taken against the concerned court. It is further directed that the trial court shall conclude the trial within a period of six months from today.

In such view of the matter, I deem it fit and proper to dispose off the present petition, granting liberty to the petitioner to renew his prayer for bail in case the trial is not concluded within a period of six months from today.

(Mohit Kumar Shah, J)

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