

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22253 of 2024

Arising Out of PS. Case No.-547 Year-2021 Thana- PURNEA SADAR District- Purnia

Vijay Raha @ Vijay Rah S/o Kishori Raha Resident of Village-Madhopara
Naya Tola Basanthbagh, P.S.-Purnea Sadar, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No.233 of 2023 arising out of Sadar (Muffasil)
P.S. Case No. 547 of 2021, lodged on 13.10.2021 under Sections
302, 201, 120(B) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was earlier rejected *vide* order
dated 21.02.2023 passed in Cr. Misc. No. 56696 of 2022.
Counsel also submits that at the time of rejection of bail
application of the petitioner, Trial Court was directed to expedite
the trial within nine months. Counsel submits that nine months
have already been crossed, but till date, trial has not been



concluded. Counsel further submits that fresh report with regard to the present stage of the trial has been called for from which, it transpires that there are total 12 charge-sheet witnesses and out of them, five prosecution witnesses have been examined and the trial is likely to be concluded in six months.

4. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail. The petitioner is in custody since 05.07.2022 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Sessions Trial No.233 of 2023 arising out of Sadar (Muffasil) P.S. Case No. 547 of 2021, pending before the learned 4th Additional Sessions Judge, Purnea is hereby **rejected**.

8. Liberty is hereby granted to the petitioner that if, within six months, the trial shall not be concluded then, the Trial Court shall pass a reasoned and speaking order that whether delay has been caused due to petitioner or not and if, it has been



found that the delay has not been caused due to petitioner, then
the petitioner is directed to be released on bail.

(Dr. Anshuman, J)

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