

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29073 of 2024

Arising Out of PS. Case No.-837 Year-2021 Thana- JAHANABAD District- Jehanabad

Shafi Alam @ Safi Alam Son of Md. Kashim Resident of Village-
Vishunganj, P.S.- Jehanabad, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Sessions Trial No.221/2022-07/2022 arising out of Jehanabad
P.S. Case No. 837 of 2021, lodged on 18.12.2021 under Sections
304(B) 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 16.11.2022 passed in Cr. Misc. No. 28802 of 2022 with
liberty granted to the petitioner that he may renew his prayer for
bail after one year from the date of passing of the order. Counsel
further submits that one year has already been crossed but
evidence has not been examined. Counsel also submits that the
criminal antecedent of the petitioner is clean. The petitioner is in



custody since 19.12.2021.

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

5. Learned counsel for the informant vehemently opposes the bail of the petitioner and submits that only two witnesses are yet to be examined.

6. From the report which has been called for from which, it transpires that only one witness has to be examined for which N.B.W. has already been issued.

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

8. Accordingly, the prayer for regular bail of the petitioner in connection with Sessions Trial No.221/2022-07/2022 arising out of Jehanabad P.S. Case No. 837 of 2021, pending before the learned A.D.J. VIII, Jehanabad is hereby **rejected.**

9. The Trial Court is directed to conclude the trial within three months.

10. Liberty is hereby granted to the petitioner that if, within three 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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