

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31733 of 2024

Arising Out of PS. Case No.-243 Year-2021 Thana- BARAUNI District- Begusarai

Mukesh Kumar @ Mukesh Kumar Singh, Son of Phulena singh @ Fulena Singh, Resident of Village- Simariya, P.S.- Barauni Chakiya O.P., Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s	:	Mr.Ram Naresh Ray, APP
For the Informant	:	Mr. Subhesh Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 23-08-2024 Heard Mr. Jay Ram Prasad, learned Advocate for the petitioner and Mr. Ram Naresh Ray, learned Additional Public Prosecutor for the State. The informant is appearing through his counsel Mr. Subhesh Pandey, learned Advocate.

2. This is the forth attempt made on behalf of the petitioner for grant of bail in connection with Sessions Trial No. 81 of 2022 arising out of Barauni P.S. Case No. 243 of 2021, registered for the offences punishable under Sections 386, 302, 379 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier thrice the prayer for bail of the petitioner has been turned down taking note of the fact that the petitioner is alleged to be author of the fatal injury resulting into death of



the son of the informant.

4. On the last occasion while negating the prayer of the petitioner, this Court vide order dated 08.12.2023 has observed that the learned court below shall take all endeavors and efforts to conclude the trial preferably within a period of three months.

5. Referring thereto, learned Advocate for the petitioner submits that despite the observation now eight months have been lapsed but till date the trial has not been concluded.

6. Vide order dated 10.05.2024, the present status report in connection with the Sessions Trial No. 81 of 2022, arising out of Barauni P.S. Case No. 243 of 2021 was called for.

7. The report dated 21.05.2024 clearly reveals that due to non-cooperation of defence, final argument has not started yet and the next date was fixed on 03.06.2024 for final argument. Learned Advocate for the opposite party apprise this Court that on the last occasion when the matter was fixed for final argument on account of change of the counsel of the petitioner again it was adjourned for next date. The report also suggests that several interlocutory petitions have been filed in this case. Due to several adjournment petitions filed by the accused persons one after another, the delay being caused.



8. Be that as it may, considering the fact that the matter is fixed for final argument, this Court is not persuaded to enlarge the petitioner on bail.

9. This Court expects that the learned Trial Court shall take sincere efforts to conclude the same as early as possible.

(Harish Kumar, J)

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