

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34652 of 2023

Arising Out of PS. Case No.-213 Year-2011 Thana- BALIYA District- Begusarai

Chhathu Sada, Son of Sitaram Sada, Resident of Village- Ward No. 85,
Manakpur, Danauli, Gyantola, Ps- Ballia, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP
For the Informant	:	Mr. Pankaj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 17-05-2024 The petitioner seeks bail in connection with

Baliya P.S. Case No. 213 of 2011 dated 28.12.2011,

instituted for the offences under Sections 147, 148,

149, 379 and 302 of the Indian Penal Code and Section

27 of the Arms Act.

2. The prayer for bail of the petitioner was

earlier rejected *vide* order dated 12.01.2022 passed in

Cr. Misc. No. 29695 of 2021.

3. The petitioner is said to have killed the

deceased. There are two murders in this case.

4. None of the persons accused of killing the



deceased are on bail. Some of the co-accused persons are on bail but there is no allegation against them of firing at the deceased.

5. Mr. Lal, the learned Advocate for the petitioner, however, has argued for grant of bail on the ground of the petitioner having remained in jail since 03.07.2018 and thereby having completed more than five years in custody. Out of twelve charge-sheeted witnesses, only seven witnesses have been examined up till now. Mr. Lal, therefore, contends that there are no fair chances of the Trial being concluded in the near future.

6. The learned counsel appearing for the informant and the State have opposed the grant of bail stating that the cause of death of one of the deceased is directly attributable and referable to the petitioner.

7. This Court is not inclined to grant bail to the petitioner during the pendency of the Trial.

8. The prayer for grant of bail is rejected.



9. However, considering the period of custody of the petitioner and the stage of the case presently, it is directed that the Trial Court shall take all possible steps to conclude the Trial within next six months, failing which the petitioner shall have the liberty to approach the Trial Court for grant of bail and in that event, the Trial Court shall while disposing off such application record reasons for the tardy progress of Trial.

10. The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

Sauravkrsinha/
Krishna-

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