

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44732 of 2021

Arising Out of PS. Case No.-77 Year-2019 Thana- SALIMPUR District- Patna

Rahul Kumar S/o Late Rakesh Prasad @ Rakesh Kumar Resident of Village-
Bhaisahi Tola (Bhaisani Tola) Mansurganj, P.s.- Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate
For the State : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

11 12-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Salimpur P.S. Case No. 77 of 2019 instituted for the offences
punishable under Sections 302/394/34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. The petitioner's prayer for bail was earlier rejected
by this Court *vide* order dated 22-03-2021 passed in *Cr. Misc.
No. 35960 of 2020*, directing therein to expedite the trial and
conclude the same at the earliest, preferably within a period of
six months and if the trial is not concluded within the specified
period of time, the petitioner may approach this Court to renew
his prayer for bail.



4. Since the trial is not concluded within the specified period, the petitioner has renewed his application for grant of bail.

5. On the last occasion, this Court *vide* order dated 15-01-2024, called for a fresh report from the Court of learned J.M. 1st Class/Court concerned in connection with Salimpur P.S. Case No. 77 of 2019 with respect to the stage of trial, the number of witnesses to be examined and the expected duration that will take to conclude the trial.

6. Pursuant to which, learned Additional District and Sessions Judge Vth, Civil Court, Barh, Patna has sent a report dated 30-01-2024. The report is to the effect that despite production warrant issued on several dates, the accused is not produced, due to which total eight (8) witnesses are yet to be produced and trial is likely to be concluded within a period of three months.

7. In view of the aforesaid facts and circumstances of the present case, this Court directs the Court of Additional District and Sessions Judge-V, Civil Court, Barh, to conclude the trial on day-to-day basis in connection with Salimpur P.S. Case No. 77 of 2019, within a period of three months from the date of receipt/production of a copy of this order, without any



undue delay and unnecessary adjournments and submit a report to this Court thereafter.

8. The District Magistrate, Patna and the Senior Superintendent of Police, Patna are also directed to take necessary steps to produce the witnesses on the date fixed in the Trial Court so that the trial could be concluded within the stipulated time.

9. Let this order be communicated to the District Magistrate, Patna and the Senior Superintendent of Police, Patna.

10. However, the petitioner would be at liberty to file a fresh application for grant of bail, if the trial is not concluded within the period of three months from the date of receipt/production of a copy of this order.

11. With the above observation/s and direction/s, application is disposed of.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

