

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60514 of 2024

Arising Out of PS. Case No.-204 Year-2021 Thana- GORIAKOTHI District- Siwan

Subhash Mishra Son of Jagat Kishor Mishra R/V- Village- Saidpura, P.S.-
Goreakothi, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
		Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-10-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sessions Trial no.470 of 2022 (arising out of Goreakothi P.S. Case no.204 of 2021) registered under sections 307, 341, 323, 324, 504 and 34 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the petitioner is said to have given a knife blow on the chest of the uncle of the informant namely Rameshwar Tiwary who subsequently died.

4. Learned Senior counsel appearing for the petitioner submitted that the earlier prayer for bail of the petitioner was rejected vide orders dated 19.12.2022 and 22.12.2023



(Annexure-1 series) and the petitioner has renewed his prayer for bail having remained in custody for about three years since 11.11.2021. There is no progress whatsoever in the trial in the learned trial Court. Inspite of charge having been framed on 15.2.2023, only two witnesses have been examined on behalf of the prosecution. There is no chance of the trial concluding in the near future. The petitioner undertakes to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR according to which the petitioner is said to be the assailant of the deceased having given a knife blow on the chest and the allegations having been supported in the examination-in-chief of the two prosecution witnesses whose deposition has been brought on record in the petition, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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