

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66314 of 2023

Arising Out of PS. Case No.-25 Year-2017 Thana- SUHAIL District- Gaya

Jogendra Bharti @ Jogi Bharti @ Yugendra Bharti son of Fakira Bharti @
Pakira Bhuiyan Village- Shohiya Pakri Ps- Salaiya Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Mohan Das, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-02-2024 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The present petition is by way of fifth attempt at
the behest of the petitioner for grant of regular bail in
connection with Sohail P.S. Case No.25 of 2017 registered for
the offences under Sections 147, 148, 149, 342, 452, 448, 324,
302, 120B of the Indian Penal Code inasmuch as all the earlier
petitions filed by the petitioner for grant of bail have stood
dismissed.

3. The allegation made in the FIR is regarding the
accused persons including the petitioner herein having assaulted
the deceased resulting in his death.

4. The learned counsel for the petitioner has
submitted that though the petitioner is languishing in custody



since 15.12.2017, however there is no likelihood of conclusion of the trial in near future, hence the petitioner be granted the privilege of bail.

5. *Per contra*, the learned Additional Public Prosecutor appearing for the State has vehemently opposed the prayer for bail and has submitted that this Court, by an order dated 08.12.2023, had called for a report from the learned Trial Court.

6. This Court finds that a report dated 14.12.2023 has been received from the learned Additional District & Sessions Judge, Sherghati, Gaya wherein it has been stated that out of seven charge-sheeted witnesses, four witnesses have been examined, and the doctor, Investigating Officer, and the informant are yet to be examined, thus it would take four months time for conclusion of the trial.

7. Considering the aforesaid report dated 14.12.2023, this Court deems it fit and proper to direct the learned Trial Court to ensure examination of all the prosecution witnesses, within a period of two months from today, even if coercive steps, as provided for under the law, are required to be resorted to for the purposes of securing attendance of the witnesses. The learned Trial Court is further directed to ensure conclusion of



the trial, within a period of six months from today.

8. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to renew his prayer for grant of regular bail before the learned Trial Court itself, after lapse of nine months from today, in case there is no substantial progress in the ongoing trial. Liberty so sought is granted.

9. Accordingly, the present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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