

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2425 of 2023

Arising Out of PS. Case No.-648 Year-2019 Thana- TURKAULIYA District- East
Champaran

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Jhunna Pandey @ Jhuna Pandey @ Jhunnu Pandey S/O Prem Shankar Pandey
R/O Village- Shankar Saraiya Kasba Tola, P.S- Turkauliya, District- East
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Y.C. Verma, Sr. Advocate Mr. Anuj Kumar, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Ajay Kumar Jain, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 13-03-2024 Heard Mr. Y.C. Verma, learned Senior Counsel

assisted by Mr. Anuj Kumar, learned counsel for the petitioner,

Mr. Ajay Kumar Jain, learned counsel for the informant and Mr.

Nirmal Kumar Sinha, learned APP for the State.

2. By filing this application, the petitioner has renewed his prayer for regular bail. This is his third attempt to obtain bail in connection with S.Tr. Case No. 297 of 2021 arising out of Turkauliya P.S. Case No. 648 of 2019 registered for the offences punishable under Sections 341, 324, 326, 307, 302, 120B, 506 and 34 of the Indian Penal Code. He is in custody since 21.09.2019 and has three criminal antecedents in which he is said to be on bail.

3. Earlier, his prayer for bail was rejected lastly by



this Court vide order dated 01.12.2021 in Cr. Misc. No. 66077 of 2021.

4. This Court had taken note of the submissions that there are chances of threat to the prosecution witnesses in this case and it is a case of causing multiple firearm injuries on the deceased. The allegation of firing is against the petitioner and one other accused.

5. This Court had called for a report from the learned trial court and at this stage, the report says that all the non-official witnesses including the informant have been examined and only official witnesses have been left to be examined for which summons have been issued to them. The learned trial court has informed that at least six months' time may be taken in conclusion of trial.

6. Having regard to the submissions of the parties and the report received from the learned trial court, this Court is not inclined to grant privilege of bail to the petitioner at this stage as the trial itself is likely to be concluded within a period of six months, out of which two months have already expired since the date of report.

7. The learned trial court is directed to conclude the trial within the period mentioned in the report of the court as



contained in letter no. 01 dated 02.01.2024. In case the official witnesses are not produced by the prosecution on the date fixed in the matter, the Superintendent of Police, East Champaran at Motihari shall take appropriate steps at his end to ensure the presence of the official witnesses and ensure that all the prosecution witnesses are examined on the date fixed in the matter.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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