

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68493 of 2024

Arising Out of PS. Case No.-102 Year-2016 Thana- SONEPUR District- Saran

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Jitendra Nut @ Jittendra Nut @ Jatha Nut Son of Late Arvind Nut Village-
Marhaura Pakaha Ps- Sonepur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar, Adv

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 24-01-2025 Heard Mr. Manish Kumar, learned counsel for the

petitioner and Mr. Jharkhandi Upadhyay, learned APP for the

State.

2. Mr. Jharkhandi Upadhyay, learned APP has filed

counter affidavit.

3. The following order was passed on 05.10.2024:-

*“Heard learned counsel for the
parties.*

*2. This is the 2nd attempt of the
petitioner. Earlier the bail application of the
petitioner was rejected vide order dated
27.02.2024 passed in Cr. Miscellaneous No.
75016 of 2023.*

*3. It has been submitted by learned
counsel for the petitioner that though the
charges has been framed in the month of
January, 2024, but no witnesses have been
examined by the prosecution.*

*4. The Superintendent of Police,
Saran will explain as to why the prosecution*



witnesses are not being produced.

5. List this case after six weeks.

6. It is expected that before submitting a report, the prosecution will start producing the witnesses.

7. Let a copy of this order be communicated to the Superintendent of Police, Saran through FAX for forthwith compliance.

8. Mr. Jharkhandi Upadhyay will assist the Court. A copy of the brief be handed over to learned APP by Monday peremptory.”

4. The only contention of learned counsel for the petitioner is that the trial is being delayed and therefore, the petitioner should be released on bail meaning thereby that an accused who committed dacoity with murder should be released on bail on the ground that trial is being delayed.

5. The trial judge, ADJ-VIII, Chapra, Saran is directed to start the trial and hold the trial on day to day basis and file a compliance report after six months.

6. No ground of review of the bail application is made out, this application is dismissed.

(Sandeep Kumar, J)

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