

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51425 of 2018

Arising Out of PS. Case No.-153 Year-2016 Thana- KASIMBAZAR District- Munger

Neeraj Yadav son of Late Umesh Yadav @ Umesh Kumar Yadav, resident of
Mohalla-Lal Darwaja, P.S.- Kotwali, District-Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Chittranjan Sinha, Sr. Adv. Mr. Karuna Nath Sahay, Adv.
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 03-10-2018 Heard Sri Chittranjan Sinha, learned senior counsel,

assisted by Sri Karuna Nath Sahay, learned counsel for the

petitioner and Sri Chandra Bhushan Prasad, learned Addl.

Public Prosecutor.

This is the second attempt for grant of bail on behalf
of the petitioner, who is in custody since 22-11-2016 in Kasim
Bazar P.S. Case No. 153 of 2016, corresponding to Sessions
Trial No. 244 of 2017, registered for the offence under Sections
302/34/120(B) of the Indian Penal Code and Section 27 of the
Arms Act. Recently only on 04-05-2018, the prayer for bail of
the petitioner was rejected on two grounds: firstly, on the basis
of seriousness of accusation and secondly, considering the fact
that the petitioner was accused in number of cases. Of course,



on last occasion, it was noticed that out of three cases, petitioner was already acquitted in two cases, even then this Court rejected the prayer for bail. Without any change of circumstances, the present petition has been filed.

Sri Sinha, learned senior counsel appearing on behalf of the petitioner tried to persuade the Court that some of the accused persons in similar circumstances were granted bail by another Bench of this Court, even after rejecting the prayer of bail of this petitioner.

I have examined the said orders, which have been brought on record as Annexures 6 and 7 series. However, on examination of the orders, it is evident that while other accused persons were extending the privilege of bail, the order of rejection of bail of this petitioner was not brought to the notice of the said Bench.

Moreover, besides seriousness of the accusation, on the ground of criminal antecedent of this petitioner, the prayer for bail was rejected. It has been admitted by learned senior counsel that in this case, charge has already been framed. Meaning thereby that trial has already commenced. Since trial has already commenced, there is no reason to entertain the prayer for bail.



The petition stands dismissed.

(Rakesh Kumar, J.)

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