

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14595 of 2018

Arising Out of PS. Case No.-74 Year-2016 Thana- BUXAR District- Buxar

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Anil Yadav, Son of Nathuni Yadav, resident of Village- Budhanpurwa, Police Station- Buxar (Town), District- Buxar (Bihar).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. S.K.Lal, Adv.
Mr. Birendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 14-03-2018 Heard Sri S.K.Lal, learned counsel, assisted by Sri Birendra Kumar Singh, learned counsel for the petitioner and learned Addl. Public Prosecutor.

This is third attempt for grant of bail on behalf of the petitioner, who is in custody in connection with Buxar (Town) P.S. Case No.74 of 2016, registered for the offence under Sections 341, 147, 148, 149, 302, 326 and 120(B) of the Indian Penal Code, Section 27 of the Arms Act. On the first occasion, the prayer for bail of the petitioner was rejected on the basis of materials available on record, particularly considering the criminal antecedent of the petitioner. Thereafter, again he had approached this Court for grant of bail, which too was rejected vide order dated 03.05.2017 passed in Cr.Misc. No.14108 of



2017.

Sri S.K. Lal, learned counsel appearing on behalf of the petitioner tried to persuade the Court to examine the case on merit. However, I am of the opinion that once on merit, the prayer for bail of the petitioner was rejected, there is no point for allowing the petitioner to reiterate the same. Alternatively, it was argued that the petitioner is languishing in jail since about two years, this Court may fix the time for conclusion of the trial. However, it was accepted that in the case, charge has already been framed. Meaning thereby that trial has commenced.

Considering the fact that twice the prayer for bail of the petitioner has been rejected, there is no reason to entertain the present petition for grant of bail again on merit.

The petition again stands dismissed. However, considering the period of custody, it is desirable to observe that the learned court below may take appropriate steps, so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J)

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