

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7017 of 2019**

Arising Out of PS. Case No.-251 Year-2014 Thana- FALKA District- Katihar

Amlesh Yadav, Son of Late Jai Prakash Yadav, Resident of Village- Chandpur,
P.S.- Falka, District – Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

4 04-09-2019 Heard learned counsels for the petitioner and the
State.

The petitioner has renewed his prayer for bail in connection with Sessions Trial No. 271 of 2015, arising out of Falka (Pothia) P.S. Case No. 251 of 2014, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act, pending in the Court of learned Additional District and Sessions Judge-I, Katihar.

The prosecution case is that 13 FIR named accused persons variously armed surrounded the son of the informant, whereupon, this petitioner caused fire arm injury on the neck of the son of the informant who subsequently succumbed to the injury. It is specifically alleged against co-accused, Rajendra



Goswami to have caused injury with *dabia* to Bilas Yadav.

It is submitted by learned counsel for the petitioner that there is a counter version of the occurrence, being Falka (Pothia) P.S. Case No. 252 of 2014 wherein it has been alleged that the firing resorted by co-accused, Dhirendra Yadav, caused injury on the neck of the victim, Birendra Yadav.

Earlier the prayer for bail of the petitioner was rejected vide order dated 26.07.2017, passed in Criminal Miscellaneous No. 28153 of 2016 with liberty to the petitioner to renew the prayer for bail after recording of the deposition of the informant during trial.

It is submitted by Mr. J. N. Thakur, learned APP for the State that the petitioner is the sole assailant and in the show cause filed on behalf of the Superintendent of Police, Katihar, dated 03.09.2019, specific statement has been made in paragraph no.6 to the effect that all the prosecution witnesses, including the doctor and the I.O. of the case, have been examined.

Considering the present stage of the trial which suggests that all the prosecution witnesses have been examined, this Court is not inclined to revise the earlier order. Accordingly, the prayer for bail of the petitioner is rejected.



However, it is expected from the trial Court to conclude the trial expeditiously, preferably within a period of four months.

(Dinesh Kumar Singh, J)

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