

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17933 of 2019

Arising Out of PS. Case No.-21 Year-2018 Thana- ISMAILPUR District- Bhagalpur

Mukesh Yadav, aged about 35 years, Male, S/o Hardeo Yadav @ Hardev Yadav, R/o Village- Kamalakund, P.S.- Ismailpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Kamlesh Kumar Pathak

For the Opposite Party/s : Sri Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 24-04-2019 Heard Sri Kamlesh Kumar Pathak, learned counsel for the petitioner and Sri Ram Sumiran Rai, learned Additional Public Prosecutor.

This is second attempt for grant of bail on behalf of the petitioner in connection with Ismailpur P.S. Case No. 21 of 2018 registered for the offence under Section 341, 323, 504, 506, 447, 385, 387, 379/34 of the Indian Penal Code, 1860. Earlier, prayer for bail of the petitioner was rejected on 18.08.2018 vide Cr. Misc. No. 48233 of 2018 considering the merit of the case as well as the fact that petitioner was accused in other three cases also. On last occasion learned counsel for the petitioner had argued that prayer for bail was being pressed on the basis of changed circumstances. Accordingly by order dated 27/03/2019 a report was called for from the court below



regarding the stage of the case which has been received and kept at flag – ‘A’. The report contained in letter no. 24 / 2019 dated 09.04.2019 issued under the signature of S.D.J.M., Naugachhia indicates that after framing of charge one prosecution witness has already been examined and case is fixed for further evidence.

Considering the fact that trial has already commenced, there is no reason to review my earlier order. The prayer for bail again stands rejected. However while dismissing the prayer for bail it is desirable to observe that the learned trial court as well as prosecution may take appropriate steps so that the case may come to its logical end without unnecessary delay. The Superintendent of Police, Bhagalpur is directed to ensure presence of witnesses as and when required by the learned trial judge.

Let a copy of this order be sent to the Superintendent of Police, Bhagalpur.

(Rakesh Kumar, J)

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