

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60361 of 2019

Arising Out of PS. Case No.-118 Year-2015 Thana- MADHEPUR District- Madhubani

Bhim Yadav Son of Ramchandra yadav Resident of Village- Birpur, Police
Station- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-09-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner, by way of the present petition, has made a third attempt before this Court for grant of regular bail in connection with Sessions trial no. 92 of 2017 arising out of Madhepur PS case no. 118 of 2015 for the offences under Sections 302, 307, 120(B)/34 of Indian Penal Code and Section 27 of Arms Act, inasmuch as this Court by an order dated 20.09.2017 passed in Cr. Misc. no. 45671 of 2017, had rejected the prayer of the petitioner for grant of regular bail, whereafter again by an order dated 12.09.2018 passed in Cr. Misc. no. 53784 of 2018, the prayer for grant of regular bail of the petitioner was rejected.

This Court finds that there is no change in



circumstance from the time, this Court had earlier rejected the prayer of the petitioner for grant of regular bail, till date.

The learned counsel for the petitioner submits that the petitioner is languishing in custody since 13.07.2016 and the trial is not progressing, hence the petitioner may be enlarged on regular bail.

This Court finds that apart from the fact that there is no change in the circumstance, the petitioner is alleged to have fired on the brother of the informant, resulting in his death which is a grave and heinous crime. This Court further finds that the petitioner is an accused in 12 other criminal cases, as such this Court had come to a conclusion that it would not be in the interest of society to release such a habitual offender and had also referred to a judgment passed by the Hon'ble Apex Court, reported in *(2012) 9 SCC 446 (Ash Mohammad vs. Shiv Raj Singh & Anr.)*.

Having regard to the aforesaid facts and circumstances of the case, I find that there is no merit in the present bail petition, hence the same is dismissed.

(Mohit Kumar Shah, J)

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