

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9421 of 2020

Arising Out of PS. Case No.-320 Year-2017 Thana- BHORE District- Gopalganj

ADALAT MISHRA Son of Late Subedar Mishra Resident of Village -
Khalawa Gaon, P.S.- Bhorey, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Zainul Abedin

Smt. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2020

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, the learned APP for the State.

The present petition is by way of ^{3rd} attempt at the behest of the petitioner for grant of regular bail inasmuch as the earlier bail petitions filed by the petitioner for grant of regular bail were dismissed by this Court by an order dated 06.07.2018 passed in Cr. Misc. No. 21947 of 2018 and order dated 10.07.2019 passed in Cr, Misc. No. 3514 of 2019 in connection with Bhorey P.S. Case No. 320 of 2017 giving rise to Sessions Trial No. 41 of 2018 for the offence punishable under Sections 341, 323, 307, 302/34 of the Indian Penal Code and Section 27 of the



Arms Act.

The petitioner is the main assailant who is alleged to have fired on the deceased resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is an aged person, has a clean antecedent and is languishing in custody since 09.10. 2017.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the petitioner and I find that there is no change in circumstances from the date the prayer for bail of the petitioner for grant of regular bail was rejected twice earlier, till date. This Court further finds from the impugned order dated 06.01.2020 that ten witnesses have already been examined by the learned trial court in the ongoing trial, hence, the trial is in final stages, as such I do not deem it fit and proper to reconsider the prayer of the petitioner for grant of regular bail, especially on account of the same having already been rejected twice earlier, thus the present petition stands dismissed. However, the learned trial court is directed to expedite the trial.

(Mohit Kumar Shah, J)

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