

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27293 of 2020**

Arising Out of PS. Case No.-53 Year-2015 Thana- BIHARIGANJ District- Madhepura

LEELA SAGAR YADAV @ NEEL SAGAR YADAV @ LEEL SAGAR @
NEEL SAGAR Son of Julum Yadav @ Julmi Yadav Resident of Village-
Jamhara, P.S.- Sonbarsha Raj, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 21-12-2020 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Bihariganj P.S. Case No. 53 of 2015 registered for the offence under Section 392, 394 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learned Judicial Magistrate – 1st Class, Udakishunganj.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report. His name has transpired in the confessional statement of co-accused Ashish Jha and Gauri Yadav. It is submitted that the co-accused Ashish Jha had been granted bail on 27.09.2016 in Cr. Misc. No. 37975/2016.

As regards the criminal antecedent, learned counsel



has pointed out from the supplementary affidavit that petitioner has been made accused in as many as 32 cases, he has been acquitted in 12 cases and in 17 cases he is on bail.

On the other hand, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. Learned A.P.P. submits that the conduct of the petitioner and the criminal antecedent are such that he does not deserve privilege of regular bail at this stage. It is submitted that this case is of the year 2015, the co-accused Ashish Jha was arrested, he made confessional statement and he was released on bail in the year 2016, but this petitioner did not surrender and it is only when he has been arrested in connection with another case, now he is seeking regular bail in connection with the present case.

It is further submitted that the huge criminal antecedent of the petitioner would show that there are cases pending against him over 6 – 10 years and all are of serious nature.

Having regard to the facts and circumstances of the case, this court agrees with the submission of learned A.P.P. for the State, even the conduct and criminal antecedent of the petitioner, this Court is not inclined to grant him privilege of regular bail.



Let the trial be expedited.

The prosecution must cooperate in early conclusion of trial and the court below should take steps without an unnecessary adjournment no long date shall be fixed in the matter. If for the reasons not attributable to the petitioner the trial is not concluded within nine months from today, the petitioner may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

