

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28932 of 2020

Arising Out of PS. Case No.-172 Year-2018 Thana- KHAIRA District- Saran

=====

BADAN RAI Son of Late Suraj Rai Resident of Village- Maksudpur (Balua Par), P.S.- Khaira, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Ashok Kumar

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Ashok Kumar, the learned APP for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail, inasmuch as his earlier petition for grant of bail in connection with Khaira PS case no. 172 of 2018 for the offences punishable under Section 302/34 of Indian Penal Code and 27 of Arms Act, was rejected by a co-ordinate Bench of this Court vide order dated 17.09.2019, passed in Cr. Misc. no. 55202 of 2019.

The allegation is regarding the petitioner having fired gun shots on the deceased leading to his death.



The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 28.03.2019 and there is no possibility of conclusion of the trial in near future.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that there is no change in the circumstance, from the date, the prayer of the petitioner for grant of bail was rejected earlier, till date, this Court does not find any reason to re-consider the prayer of the petitioner for grant of bail especially in view of the fact that the petitioner is also accused in two other cases, hence there is no merit in the present petition, accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

