

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63135 of 2019

Arising Out of PS. Case No.-213 Year-2011 Thana- BALIYA District- Begusarai

BAUNU SADA @ BAUNA SADA Son of Late Sitaram Sinha @ Shitaram
Sada Resident of Village-Gyantola, Majhanpur, P.S.-Ballia, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 14-08-2020 The court proceeding conducted through virtual
mode.

Heard learned counsel for the petitioner and the
State.

The petitioner has renewed his prayer for bail 4th
time in a case registered for the offences punishable under
Sections 147, 148, 149, 379, 302 and 302 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, as per the fardbeyan of
Bindeshwar Singh, recorded by M.I. Alam, S.H.O. Ballia Police
Station is to the effect that on 28.12.2011, the informant along
with his brother Sachindra Singh, son Rohit Kumar, nephew
Saurabh Kumar were irrigating the wheat crop field. In the



meantime, five accused persons, including the petitioner Baunu Sada along with 8-10 armed with fire arm, tried to catch hold of the brothers of the informant with an intention to kill them, but somehow they saved themselves. Thereafter, the petitioner, Baunu Sada and co-accused Chhatu Sada resorted to firing which hit on the head and chest of the brother of the informant. Thereafter, co-accused, Yogi Sada and Gorelal Sada resorted to fire on the nephew of the informant. As a result both, the brother and the nephew of the informant fell down.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was rejected second time on 20.12.2017, passed in Criminal Miscellaneous No. 52065 of 2017 with a liberty to the petitioner to renew the prayer for bail if the trial is not concluded within a period of nine months. Thereafter, third time, the prayer for bail of the petitioner was rejected vide order dated 23.01.2019, passed in Criminal Miscellaneous No. 75545 of 2018 with a liberty to the petitioner to renew the prayer for bail if the trial is not concluded within a period of six months. But till date the trial has not been concluded.

Learned APP submits that on merits the prayer for bail of the petitioner has been rejected thrice and there is



specific accusation against the petitioner.

The report of learned ADJ-1, Begusarai dated 22.06.2020 reflects that the matter is at the argument stage and the trial could not be concluded due to the prevailing situation created on account of pandemic, Covid-19.

In view of the aforesaid this Court is not inclined to revise the earlier order.

Accordingly, the prayer for bail of the petitioner, in connection with S. T. No. 477 of 2013, arising out of Ballia P. S. Case No, 213 of 2011, pending in the Court of learned Additional Sessions Judge-I, Begusarai is rejected.

However, it is expected from the learned trial court to conclude the trial expeditiously.

If the trial is not concluded within a period of six months of resumption of court proceeding in physical mode, the petitioner will be at liberty to renew prayer for bail.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

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