

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83943 of 2019

Arising Out of PS. Case No.-162 Year-2015 Thana- MAKHDUMPUR District- Jehanabad

ARVIND YADAV S/o Dinesh Yadav R/o village- Makarpur, P.S.-
Makhdumpur, District- Jahanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Makhdumpur P.S. Case No. 162 of 2015, G.R. No. 1322/2015 registered under Sections 147, 148, 149, 323, 341, 342 and 302 of the Indian Penal Code, pending in the court of learned Additional Chief Judicial Magistrate – II, Jehanabad.

Learned counsel for the petitioner submits that earlier vide order dated 30.05.2019 passed in Cr. Misc. No. 15421 of 2019 a learned coordinate Bench of this court had rejected the prayer for regular bail of the petitioner. Copy of the order passed by learned coordinate Bench is Annexure '1/1' to the present application.



Learned counsel further submits that in fact after the said order no progress has taken place in respect of trial because the four co-accused have been convicted in this case and they have preferred appeal before this court in which the Lower Court Records have been called for.

On a query made by this court as to the fact that the petitioner being an absconder, his records must have been split up by the trial court, learned counsel submits that no such record is there. Let it be brought to the notice of learned District Judge, Jehanabad who will look into the matter and missing record.

So far as the prayer for regular bail of this petitioner is concerned, this court finds from the earlier order of this court that the prayer for bail of the petitioner has been rejected after noticing the kind of injuries present on the body of the deceased, the manner of occurrence suggesting involvement of several accused persons and the petitioner being named therein has been arrested in this case more than three years after the lodgement of the F.I.R.

In the opinion of this court, there is no reason to grant regular bail to the petitioner at this stage when he has



himself remained absconding which delayed the trial and release of the petitioner at this stage is likely to cause further delay in trial.

This application is, thus, dismissed.

Let the trial be expedited. The District Judge, Jehanabad shall ensure that the record duly placed before the competent court for proceeding with the trial.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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