

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3178 of 2020

Arising Out of PS. Case No.-317 Year-2017 Thana- DURGAWATI District- Kaimur (Bhabua)

SUNIL PANDEY Son of Prasar Pandey @ Parasar Pande Resident of Village
- Kalyanpur, P.S.- Durgawati, District- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Ashfaque Ahmad

For the Opposite Party/s : Mr.Uday Pratap Singh

Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 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. 25432 of 2018 and order dated 17.04.2019 passed in Cr, Misc. No. 13791 of 2019 in connection with Durgawati P.S. Case No. 317 of 2017 for the offence punishable under Sections 302, 448, 307/34 of the Indian Penal



Code and Section 27 of the Arms Act.

The allegation is regarding the petitioner and one another co-accused person having fired on the informant, who died subsequently. In fact, a dying declaration of the deceased, duly signed by the Doctor is on record, wherein the petitioner has been alleged to have fired on the deceased resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since a long time without any progress in trial.

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

I have heard the learned counsel for the parties and perused the materials on record and pursuant to direction of this Court dated 29.01.2020, a report has been sent by the Additional Sessions Judge-VI, Kaimur at Bhabhua dated 01.02.2020 wherein it has been stated that the defence evidence is in progress, hence the trial is on the verge of completion. In such view of the matter, as also in view of the fact 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, I do not find any reason to reconsider the prayer of the petitioner for grant of regular bail, thus the present petition stands



dismissed.

(Mohit Kumar Shah, J)

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