

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86222 of 2019

Arising Out of PS. Case No.-214 Year-2017 Thana- BUXAR MUFFSIL District- Buxar

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RITESH YADAV @ RITESH SINGH Son of Naresh Singh Resident of
Village- Maruti Colony Industrial Area, P.S.- Buxar Muffasil, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 17-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

The instant matter was passed over yesterday in presence of learned APP as the petitioner's counsel has not been able to join the virtual Court proceeding.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite



court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Buxar Muffasil P.S. Case no. 214 of 2017 instituted for the offence under Section(s) 302, and 307/34 of the Indian Penal Code and Section 27 of the Arm Act.

Earlier, the prayer for bail of the petitioner has twice been rejected; once on 28.02.2018 and then 24.04.2019 respectively.

It is submitted by the petitioner's counsel that some developments thereafter took place which are very significant for the purposes for re-considering the grant of bail to the petitioner.

He submits that from the deposition of the informant at the trial inconsistency in the version of informant is more than apparent. He further submits that prosecution itself has filed petition stating herein that two witnesses have been gained over and does not wish to examine them. It is different matter the court below is yet to consider the said petition dated 29.07.2019 (Annexure-4). It is submitted that in the aforesaid circumstances, the petitioner should be granted privilege of bail since nothing has come in the trial against the petitioner even to suggest his involvement in the occurrence. As per



submission of the counsel for the petitioner, informant, doctor and I.O. of the instant case has been examined already. The court below has yet to decide on the petition dated 29.07.2019. It appears that trial is nearing completion.

The learned APP opposed the prayer for bail by submitting that the case is nearing completion of trial.

In the facts and circumstances of the case, this Court would observe that Court below would proceed expeditiously and make efforts to conclude the trial preferably within a period of three (03) months.

Considering the rival submissions this court is not allowed the petitioner's prayer for bail.

Prayer is rejected.

(Madhuresh Prasad, J)

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