

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1047 of 2021

Arising Out of PS. Case No.-111 Year-2018 Thana- NAWADA MUFFASIL District- Nawada

KAUSHAL YADAV S/o- RAM CHANDRA YADAV Resident of Village-
Kharat Tola, Bhawani Bigha, P.S.- Muffasil, Distt- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Birendra Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari, A.P.P. .

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-06-2021 Heard Mr. Birendra Kumar, learned counsel for the

appellant and Ms. Usha Kumari, learned Additional Public

Prosecutor appearing for the State through video conferencing.

This appeal has been preferred on behalf of the
appellant for setting aside the order dated 30.01.2019 passed by
the learned 1st Additional Sessions Judge-cum Special Judge
(SC/ST Act), Nawada, whereby the prayer for bail of the
appellant in connection with Spl.(H) Case No. 123 of 2018
arising out of Muffasil P.S. Case No. 111 of 2018 registered for
the offences punishable under Sections 302, 201 and 34 of the
Indian Penal Code and Section 3 (2) (v) of SC/ST (Prevention of
Atrocities) Act, has been rejected.

Earlier the bail of the appellant was rejected by a co-
ordinate Bench of this Court in Cr. Appeal (SJ) No.905 of 2019



and the appellant has renewed his prayer for bail by way of filing the present appeal.

This Court while rejecting the bail application of the appellant earlier vide order dated 25.6.2019, had directed the trial court to conclude the trial within six months after framing of charge.

Learned counsel for the appellant submits that the charge was framed on 27.9.2019 but the trial has still not been concluded.

This Court by an order dated 9.3.2021 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned 1st Additional Sessions Judge cum Special Judge, Nawada, vide letter No. 113 dated 19.3.2021 has been produced and from perusal of the same, it appears that out of seven charge sheet witnesses, four witnesses have already been examined and cross-examined and the trial court has given the estimated time for conclusion of the trial in about 5-6 months.

Having heard learned counsel for the parties and taking into consideration the materials on record and also the fact that earlier the bail application of the appellant was rejected on merit and the trial court has given estimated time for



conclusion of trial in 5-6 months, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the appellant stands rejected at this stage.

However, the appellant may renew his prayer for bail after five months if the trial does not conclude.

(Anil Kumar Sinha, J)

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