

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13498 of 2021

Arising Out of PS. Case No.-248 Year-2017 Thana- ALOULI District- Khagaria

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RABINDRA YADAV @ RAVINDRA YADAV, Son of Shiv Kumar Yadav
Resident of Village - Sanjhauli, Police Station - Alauli, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 25-08-2021 There appears to be a mistake in the order dated 28.07.2021. This is a case where the petitioner's bail was earlier rejected twice. However, inadvertently, it has been stated in the order that the petitioner seeks anticipatory bail in this case.

Let the order dated 28.07.2021 be read as an application for regular bail and not anticipatory bail.

The prayer for bail of the petitioner was earlier rejected by this Court twice.

He is said to have fired at the deceased causing the fatal injury.

It has been submitted that the petitioner is in



custody since 23.03.2018 and since then, the trial has not been concluded.

This Court had called for a report about the stage of this case *vide* order dated 28.07.2021.

The report has since been received.

In this case, summons as well as bailable warrants have been issued to prosecution witnesses but no witness has yet turned up. The last date in this case was 11.08.2021.

Regard being had to the nature of accusation against the petitioner, I am not inclined to grant bail to him for the present.

However, looking at the period of his custody, this Court directs that all possible steps be taken to conclude the trial, preferably within a period of nine months from the date of production/receipt of a copy of this order.

However, if there is no substantial progress in this case within next six months, it would be open for



the petitioner to approach the trial court for grant of bail and in that event, the trial court would be under an obligation to record the reasons for the tardy progress of trial. If the petitioner is not satisfied with the order of the court below, he will have the liberty to approach this Court again.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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