

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.34231 of 2021**

Arising Out of PS. Case No.-146 Year-2017 Thana- SIRDALA District- Nawada

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BIRENDRA YADAV @ RANJIT YADAV @ RANJIT KUMAR @ RANJIT
S/o Lachchu Yadav R/o village- Kathautiya Kewal, P.S.- Fatehpur, District-
Gaya Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Arshad Jameel Hashmi,Advocate
For the Opposite Party/s : Mr.Shantanu Kumar,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 01-09-2021 Learned counsel for the petitioner undertakes to remove

all the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Shantanu
Kumar, learned APP for the State.

This is the fourth attempt of the petitioner to obtain
regular bail in connection with Sirdala P.S. Case No. 146 of 2017
registered for the offences punishable under Sections 302, 120(B),
506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

On perusal of the orders passed by this Court on earlier
occasion it is found that the case of the petitioner was rejected on
merit after considering his submissions.

This court had lastly directed the learned trial court to
conclude the trial preferably within a period of three months from the
date of receipt/production of a copy of the order. However, due to
intervening Pandemic situation the trial has got delayed. The trial

court’s report as contained in letter no. 207/2021 indicates that 13 prosecution witnesses have already been examined and the trial is likely to be concluded within 3 to 5 months.

Learned counsel for the petitioner has confirmed that all the prosecution witnesses stand examined now.

In the aforesaid view of the matter, learned APP for the State submits that once the prayer for bail of the petitioner has been rejected on merit on three occasions and the trial itself is to be concluded within a period of 3 to 5 months, release of the petitioner may delay the conclusion of trial.

Considering the facts and circumstances of the case and the submissions as stated above, this Court is not inclined to release the petitioner on bail at this stage. The prayer for regular bail of the petitioner is, thus, refused.

The trial court is expected to conclude the trial within the time frame provided by the trial court. If the trial still remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.