

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25524 of 2020

Arising Out of PS. Case No.-213 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

GANESH YADAV Son of Banwari Yadav Resident of Nai Bazar, Mathiya
More, P.S.- Buxar Town in the District of Buxar.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar
	:	Mr.Pankaj Kumar
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary (APP)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 22-01-2021 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing on behalf of

the State.

This application for grant of regular bail in
connection with S. Tr. No. 47 of 2019 arising out of Buxar
Muffasil P.S. Case No. 213 of 2018 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 324, 326,
307 of the Indian Penal Code and Section 27 of the Arms
Act.

The petitioner had earlier approached this Court
for grant of regular bail, which was rejected by an order
dated 11.12.2019 passed in Cr. Misc. No. 48535 of 2019.
While rejecting the petitioner's application for regular bail,



the Court had noticed that there was direct allegation against the petitioner of assault made by firearm. The Court had, however, granted the petitioner liberty to renew his prayer for bail after six months, if in the meanwhile, there was no substantial progress at the trial.

Learned counsel appearing on behalf of the petitioner has submitted that there is no substantial progress at the trial. He has further submitted that with reference to the injury report that the firearm injury has been found to be simple in nature. The petitioner is in custody since 29.11.2018. It is being argued that because of prevailing pandemic, it may not be possible for the Court below to expeditiously conclude the trial. In such circumstance, learned counsel for the petitioner has argued that the petitioner cannot be allowed to remain in custody for an indefinite period.

Considering the aforesaid submission and the observation made by this Court in the order dated 11.12.2019, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction



of the learned Additional Sessions Judge-III, Buxar in S. Tr.
No. 47 of 2019 arising out of Buxar Muffasil P.S. Case No.
213 of 2018.

(Chakradhari Sharan Singh, J)

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