

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37838 of 2021**

Arising Out of PS. Case No.-99 Year-2020 Thana- GAYA MUFASIL District- Gaya

SHRAVAN YADAV, S/o Naresh Yadav R/o village- Mayapur, P.S.- Muffasil,
District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 29-09-2021 Heard learned counsel for the petitioner and
learned A.P.P. appearing for the State.

The petitioner seeks bail in connection with
Muffasil P.S. Case No. 99 of 2020, registered under Section
302/34 of Indian Penal Code and Section 27 of the Arms Act,
pending in the Court of learned Additional Sessions Judge-IV,
Gaya.

The accusation is that in the evening of
10.03.2020, Guddu Yadav @ Army and Lalan Yadav, both sons
of Sidheshwar Yadav of village-Budhgere, came in the market
and started asking that if they will kill anyone in the village, no
one will come to his rescue and started making firing.
Thereafter, Guddu Yadav called Sharwan Yadav (Petitioner)
and Bablu Yadav on phone and, thereafter, all started making



indiscriminate firing, in which Bittu Gupta, son of informant Kisor Sao, sustained gun shot injury. While Bittu Gupta, son of the informant Kisor Sao, was rushed to the hospital for treatment but he died in the way.

Learned counsel appearing on behalf of the petitioner submits that the prayer for bail of the petitioner was refused, on merit, vide Criminal Miscellaneous No. 33051 of 2020 on 01.02.2021. The petitioner is in custody since 12.06.2020, but, in spite of framing of charge none of the prosecution witnesses has been examined in this case.

A report, as called for, has been received from the Court of learned Addl. Session Judge-IV, Gaya through letter No. 245, dated 07.08.2021, which indicates that charge has been framed on 25.11.2020, but not a single witness has been examined due to Covid-19, while summon has been issued.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to reconsider the bail prayer of the petitioner. Accordingly, the prayer of the petitioner for grant of bail is, again, rejected.

However, the learned Additional Sessions Judge-IV, Gaya is directed to take all effective steps to conclude the trial of the petitioner within six months. If the trial of the petitioner is



not concluded within six months, the petitioner may renew his
prayer for bail.

(Rajendra Kumar Mishra, J)

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