

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29210 of 2020**

Arising Out of PS. Case No.-171 Year-2017 Thana- KATORIYA District-
Banka

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Supari Yadav @ Shupadi Yadav Son of Late Dhanraj Yadav Resident of
Village- Badladih, P.S.- Katoria, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate

For the State : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 07-04-2021

Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. This is the third attempt on behalf of the petitioner, who is in custody since 10.10.2017, and has renewed his prayer for bail in connection with Sessions Trial No. 31 of 2018 arising out of Katoriya P.S. Case No. 171 of 2017 for the offences alleged under Sections 341, 323, 324, 307, 427, 504, 379, 302 and 34 of the Indian Penal Code having earlier been rejected by this Court by orders dated 19.04.2018 and 27.11.2019 in Criminal Miscellaneous No. 23161 of 2018 and Cr. Miscellaneous No. 55710 of 2019, respectively.

3. Learned counsel for the petitioner makes a statement at the Bar that since the last rejection order dated



27.11.2019, only one more prosecution witness has been examined in addition to the earlier three witnesses, and as such the trial has not proceeded significantly. He invites reference to the said order dated 27.11.2019 in which it was observed that the learned trial court was expected to proceed with the trial and conclude the same expeditiously.

4. Learned APP appears and opposes the bail petition, submitting that there is direct accusation of giving axe blow over the head of Sukhdeo Yadav by the petitioner which has resulted in death.

5. Having heard learned counsel for the petitioner, this Court sees no reason to take a different view in the matter of granting bail to the petitioner. The bail petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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