

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40705 of 2021**

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

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BABLU YADAV, S/O KAILU YADAV, R/O VILLAGE-KAIYA, P.S-
MUFASSIL, DISTRICT-GAYA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikas Kumar, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P

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

ORAL ORDER

3 01-09-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 20.07.2021, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State through video conferencing.

The petitioner seeks bail in connection with Muffasil P.S. Case No. 99 of 2020 / G.R. No. 172 of 2020, registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the Court of learned Additional District & 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 and Bablu Yadav (Petitioner) on phone and, thereafter, all started making indiscriminate firing, in which Bittu Gupta, son of informant Kisori Sao, sustained gun shot injury. While Bittu Gupta, son of the informant Kisori Sao, was rushed to the hospital for treatment but he died in the way.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that four persons named in the F.I.R. made indiscriminate firing, but only one firearm injury was found on the person of deceased. The prayer for bail of the petitioner and co-accused Sharwan Yadav was refused, on merit, on 01.02.2021 for the present taking into consideration the criminal antecedent, as detailed in para 3. The petitioner is in custody since 12.06.2020 and there is no chance of conclusion of trial in near future as after framing of Charge on 25.11.2020, not a single witness has been examined in this case.

Having considered the facts and circumstances of the case, 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 Court below 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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