

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46284 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- KUMAR KHAND District- Madhepura

CHHOTU YADAV @ ANKUSH RAJ Son of Bhagwat Yadav Resident of
Village - Tikuliya, Ward No. 10, P.S. - Kumarkhand, District - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-09-2021 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 307 and 34 of the Indian Penal Code and section 27 of the Arms Act.

The earlier application for bail of the petitioner was rejected vide order dated 10.3.2021 (Annexure-1) passed in Cr. Misc. No. 37532 of 2020.

It is submitted by learned counsel for the petitioner that from perusal of the FIR it would transpire that while the informant alleges to have seen the petitioner armed with a pistol at about 4 p.m., the alleged occurrence has taken place more than 7 hours later at 11.30 p.m.. The petitioner is not the assailant. The petitioner is in custody since 28.5.2020.

A report was called for with respect to the stage of



trial from the learned trial Court. As per the report received contained in letter dated 3.9.2021, the Court was not functioning in the physical mode due to Covid-19 pandemic has now started to function physically. Charges have been framed on 16.3.2021.

In view of the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail. The application stands rejected.

The learned trial Court is directed to expedite the trial.

Liberty is granted to the petitioner to renew his prayer for bail in case there is no substantial progress in the trial within six months of the date of receipt of a copy of this order, in the learned trial Court.

(Partha Sarthy, J)

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