

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54714 of 2021

Arising Out of PS. Case No.-121 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

RAM EKBAL RAI Son of Late Bindeshwar Rai Resident of Village- Husepur
Pachrukhiya, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Ms. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-10-2021 Heard Mr. Manoj Kumar, learned counsel for the

petitioner and Ms. Rita Verma, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sahebganj P.S. Case No. 121 of 2019 registered for the offences
punishable under Sections 341, 323, 324, 307 and 302/34 of the
Indian Penal Code.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this Court vide order dated
3.6.2020 passed in Cr. Misc. 14559 of 2020 with liberty to
renew his prayer for grant of regular bail after one year.

The allegation against the petitioner is that the
petitioner along with other co-accused persons entered into the



house of the informant on 25.3.2019 and assaulted the informant and his brother, Achhey Lal Rai. The petitioner assaulted the brother of the informant by means of *gupti* (a sharp-pointed weapon). Subsequently, the brother of the informant succumbed to the injuries.

Learned counsel for the petitioner submits that the petitioner is own brother of the deceased and the informant, and there was land dispute between them. Learned counsel further submits that there was free fight between the parties and the petitioner has no intention to kill the deceased and it was due to sudden provocation, the present occurrence has taken place.

This Court by an order dated 22.9.2021 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned 14th Additional Sessions Judge, Muzaffarpur vide letter dated 21.10.2021 is on record and from perusal of the same, it appears that charges have been framed in this case on 30.9.2021. The trial court has given the estimated time for conclusion of the trial within six months.

In view of the fact that the petitioner is the main assailant and the trial is likely to be concluded within six months, I am not inclined to grant regular bail to the petitioner.

The prayer for grant of regular bail of the petitioner



stands rejected.

However, the petitioner may renew his prayer for bail
after six months, if the trial does not conclude.

(Anil Kumar Sinha, J)

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