

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63269 of 2021

Arising Out of PS. Case No.-95 Year-2019 Thana- HASPURA District- Aurangabad

NAGESHWAR SINGH @ SUBA YADAV S/o Late Ram Swaroop Yadav R/o
village- Dihuri, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-11-2021 The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Haspura P.S. Case No. 95 of 2019 for the offence punishable under Sections 341, 323, 324, 307, 504, 506/34 and 302 of the Indian Penal Code inasmuch as the earlier prayer of the petitioner for grant of bail was rejected by this Court vide order dated 17.12.2020 passed in Criminal Misc. No. 28806 of 2020.

The case of the prosecution in brief is that on 24.07.2019 while the informant was working in his field, his co-villager Subhash Singh and the petitioner herein as also one Bipin Kumar had arrived there, whereafter, the petitioner is alleged to have abused the informant and had then inflicted a Khanti blow on the head of the informant. It is also alleged that the co-accused person had also inflicted spade blow on the neck of the informant. It is further alleged that the informant had then become seriously injured, had fallen down and blood had



started oozing out profusely. Subsequently it appears that the informant had succumbed to his injuries.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 01.10.2019, however, the trial is not likely to be concluded in the near future.

Per contra, Shri Chandra Sen Prasad Singh, the learned A.P.P. for the State has vehemently opposed the prayer for regular bail.

I have heard the learned counsel for the parties and perused the materials on record from which it is apparent that this Court had considered the case of the petitioner at length on the previous occasion when the case of the petitioner for grant of regular bail was rejected vide order dated 17.12.2020. This Court further finds that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail and moreover the petitioner is alleged to have committed a heinous crime of having murdered the deceased, hence I do not find any merit in the present petition, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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