

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8962 of 2022

Arising Out of PS. Case No.-62 Year-2019 Thana- BARHARA KOTHI District- Purnia

Gaurav Yadav, Gender-Male, aged about 28 years, Son of Nawal Yadav,
Resident of Village- Mojam Patti, P.S.- Barhara Kothi (B. Kothi), District-
Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. P.K. Shahi, Sr. Advocate and Mr. Jitendra
Kumar Pandey, Advocate

For the Opposite Party : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-08-2022 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

Earlier bail application of the petitioner was rejected
vide Cr. Misc. No. 28137 of 2020 under order dated 08.02.2021,
annexed as Annexure-1 to the present application taking into
account that the chance witness in paragraph no. 115 of the case
diary had stated that nine persons including the petitioner had
made indiscriminate firing which led to death of three persons.
As per postmortem report, cause of death is said to be firearms
injuries. The matter relates to triple murder case.

This is second attempt on behalf of the petitioner for
grant of bail.

A report was called for from the court below



regarding the present stage of the case. It has been reported that there are altogether 15 prosecution witnesses to be examined and the trial is likely to be concluded within a period of six months.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Barhara (Ragubans Nagar) P.S. Case No. 62/2019, pending in the court of learned Additional District and Sessions Judge, Purnea.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

The District Magistrate and the Superintendent of Police, Purnea, are also directed to ensure that the prosecution witnesses are produced on the date fixed in the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Purnea.

(Sudhir Singh, J)

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