

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9327 of 2022

Arising Out of PS. Case No.-356 Year-2017 Thana- DEEPNAGAR District- Nalanda

PAKAURI YADAV SON OF LATE ANIL YADAV R/O VILLAGE- KORAI,
P.S.- DEEPNAGAR, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 30-03-2022 Heard learned counsel for the parties.

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

As per the prosecution case the petitioner and one Rajesh Kumar are said to have fired on Munna Mahto causing fire arm injury.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 13.9.2021 (Annexure-1) passed in Cr. Misc. no. 15785 of 2021. The coaccused Rajesh Kumar on whom also the allegation of firing is there along with this petitioner, after investigation final form was submitted by the police in the learned Court below. The cause of false implication of the



petitioner is a case between the parties of the year 2016. The petitioner has remained in custody since 4.11.2012 and there is no chance of the trial concluding in the near future.

Heard learned A.P.P. for the State.

A report was called from the learned Court below and as per the report contained in letter dated 11.3.2022 of the Additional District and Sessions Judge, Nalanda at Bihar Sharif charges were framed on 31.8.2021 however no witness has been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the facts of the case and the nature of allegation against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Taking into account the materials specially the fact that inspite of the charges having been framed on 31.8.2021 no witness has been examined on behalf of the prosecution for the last more than 6 months, liberty is granted to the petitioner to renew his prayer for bail if there is no substantial progress in the learned trial Court in six months.

(Partha Sarthy, J)

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