

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30633 of 2021

Arising Out of PS. Case No.-85 Year-2010 Thana- RAGHOPUR District- Vaishali

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SOHAN RAI @ SOHAN GOPE Son of Chandeshwar Rai Resident of Village
- Saidpur, Hulas Jafrabad, P.S.- Raghapur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. P. K. Shahi, Sr. Adv. Mr. Ashok Kumar Mishra
For the Opposite Party/s	:	Mr. Raj Kishore Singh
For the informant	:	Mr. (Dr.) Bidhu Ranjan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-02-2022 Heard learned Senior Counsel for the petitioner,

learned Counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 51 of 2019, arising out of Raghapur Police
Station Case No. 85 of 2010, registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The allegation against the petitioner, as per the First
Information Report, is that the petitioner, along with other
accused persons, is said to have fired indiscriminately upon the
brother of the informant, due to which he died.

Learned Senior Counsel for the petitioner submits that



the petitioner has been remanded in this case in the year 2016, but he escaped from the judicial custody in the year 2017 and again arrested on 31.05.2019. He further submits that there is general and omnibus allegation against the petitioner and some of the accused persons have been granted bail by co-ordinate Bench of this Court.

On the other hand, learned Counsel for the informant and learned Additional Public Prosecutor oppose the prayer for regular bail and submit that the First Information Report was instituted in the year 2010, the petitioner remained absconding , however, he was arrested and remanded in this case in the year 2016, but subsequently in the yea 2017, he again escaped from the judicial custody and on 31.05.2019, he was arrested and since then he is in judicial custody. They further submit that the petitioner has criminal antecedent too inasmuch as six cases were pending against him, out of which in two cases, he was acquitted and in the rest four cases, he is on bail.

This Court, vide order dated 09.12.2021, had called for a report regarding the stage of the case from the learned Court below and in pursuance thereof, learned 9th Additional Sessions Judge, Vaishali, at Hajipur, has furnished a report and from perusal of the same, it is evident that the trial is at the stage



of appearance of the accused persons. However, the Trial Court has given the estimated time for conclusion of the trial within six months.

In view of the above, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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