

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39347 of 2021

Arising Out of PS. Case No.-74 Year-2019 Thana- PANCHRUKHI District- Siwan

1. ASHOK YADAV Son of Ganesh Yadav Resident of Village - Mandrauli, P.S.- Pachrukhi (M.H. Nagar), District - Siwan.
2. Surendra Yadav Son of Ganesh Yadav Resident of Village - Mandrauli, P.S.- Pachrukhi (M.H. Nagar), District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Adv.
Mr. Rabindra Kumar Tiwari
For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 11-04-2022 Heard learned Senior Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with
Pachrukhi (M.H. Nagar) Police Station Case No. 74 of 2019,
registered for the offences punishable under Sections
302/201/120/34 of the Indian Penal Code.

This is the second attempt on behalf of the petitioners
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioners was rejected by this Court, vide order, dated
23.06.2020, passed in Criminal Misc. No. 3007 of 2020.

The allegation against the petitioners, as per the First



Information Report, is that they called the son of the informant and killed him due to love affair between the son of the informant and the daughter of petitioner Ashok Yadav.

Learned Counsel for the petitioners submits that after rejection of the bail application of the petitioners, some of the co-accused persons have been granted bail.

This Court, vide order, dated 21.01.2022, had called for a report from the learned Court below regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned 9th Additional Sessions judge, Siwan, and from perusal of the same, it would be evident that the trial of the case has, now, commenced, and out of five chargesheeted witnesses, one has been examined and the learned Trial Court has given the estimated time for completion of the trial within six months.

After having heard learned Counsel for the parties and taking into consideration the fact that earlier the bail application of the petitioners was considered and rejected on its own merits and that the trial has already commenced, I am not inclined to grant regular bail to the petitioners, at this stage.

This application is, accordingly, dismissed.

However, the petitioners may renew their prayer for



bail after six months if the trial is not concluded by that time.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

