

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53371 of 2021**

Arising Out of PS. Case No.-257 Year-2019 Thana- BARHARA District- Bhojpur

Raj Narayan Singh Son Of Late Nanhak Singh Resident Of Village-
Mahudahi, P.S.- Barhara, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

3 23-08-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Session trial no. 51 of 2020 arising out of
Barhara P.S. Case No. 257 of 2019 for the offences
punishable under Sections 302/34 of the Indian Penal Code
and section 27 of the Arms Act.

As per the prosecution case, it is alleged that
informant along with his brother went to the orchard, where
Raj Narayan Singh, Ajay Singh Sanjay Singh, Sujit Singh
and Vikash Singh were present. On seeing them Ajay Singh



fired on the brother of the informant resulting into his death.

Learned senior counsel fairly submits that earlier prayer for bail of the petitioner was rejected vide order dated 25.01.2021 with a liberty to renew his prayer for bail after closure of the evidence of prosecution witnesses and petitioner renewed his prayer for bail in terms of order of Hon'ble Court after the examination of all the prosecution witnesses. It is also submitted that save and except the petitioner being order giver, no other material has come against the petitioner, moreover, he is in custody since 22.07.2019 and all the charge sheet witnesses have already examined.

On the other hand, learned counsel for the State as well as informant opposed the bail application and submits that petitioner has multiple criminal antecedent and he has also been convicted in one case. Apart from the fact, in some of the cases the police after investigation submitted charge sheet against the petitioner . In response to the aforesaid submission learned Sr. counsel submits that it has been fully described in Paragraph no.-3 of the bail application and it had also taken into consideration while



passing the earlier order dated 25.01.2021.

Having heard the rival contentions of the parties and taking into consideration the fact that the trial is at the fag -end and the same has been listed for recording of the statement of the co-accused persons under section 313 of the Cr.P.C on 01.09.2022, this Court is not persuaded to enlarge the petitioner on bail at present and hence his prayer for bail stands rejected.

However, it is expected that the learned trial court will conclude the trial of the petitioner as early as possible, preferably, within a period of two months, failing which the petitioner shall be released on bail from the court below in accordance with law to the satisfaction of learned trial court itself.

(Harish Kumar, J)

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