

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70059 of 2021

Arising Out of PS. Case No.-410 Year-2019 Thana- RANIGANJ District- Araria

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GABBU YADAV @ MITHILESH KUMAR Son of Nitya Nand Yadav
Resident of Village - Naghari, Police Station - Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nasim Yahya, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2022 Due to the third wave of COVID-19 Pandemic, the

matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out, by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner seeks bail in connection with Raniganj
P.S. case No.410/2019 registered under Sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act, pending in
the court of A.C.J.M. VI, Araria.

The earlier bail application of the petitioner was



rejected vide Annexure 1 to the present application taking into account that the petitioner is the assailant, who is alleged to have fired upon the deceased.

A report was called for from the trial court. It has been reported that the case is awaiting for appearance of other co-accused in the present case.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected.

The Trial Court is directed to take all necessary steps to separate the trial of the present petitioner and conclude the same preferably within a period of nine months from the date of receipt/production of a copy of this order.

The District Magistrate, Araria and the Superintendent of Police, Araria are also directed to take necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Araria and the Superintendent of Police, Araria.

(Sudhir Singh, J)

Narendra/-

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