

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72523 of 2021

Arising Out of PS. Case No.-61 Year-2019 Thana- PALI District- Jehanabad

=====

BIRENDRA YADAV, aged about 36 years, Gender-Male, Son of Late Jagdish Yadav, Resident of Village - Beldarichak, P.s.- Sigori, Distt.- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate
For the Opposite Party : Mr. Pramod Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2022 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 24.07.2019 in a case registered for the offence under Sections 302, 307, 326, 120(B) of the I.P.C. and Section 3/5 of the Explosive Substance Act.

The prosecution story, in brief, is that on 16.06.2019 the informant alongwith his father and other co-villagers had went to attend a *Barat*, in the meantime, at about 2.45 A.M., bomb was exploded, due to which, several persons including the informant and his father became injured and later on his father,



namely, Jagdish Prasad, died on the way to hospital.

Earlier the bail applications of the petitioner were rejected vide Cr. Misc. No. 82504 of 2019 under order dated 04.02.2020 and Cr. Misc. No. 29768 of 2020 under order dated 19.01.2021 taking into account that in course of investigation, some of the prosecution witnesses who were examined under Section 164 Cr. P.C., stated that the petitioner was the assailant and he exploded the bomb upon the deceased. Three persons are said to have died in the present case.

A report was called for from the court below regarding the present stage of the case. It has been reported that five prosecution witnesses have already been examined.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 445/2019, arising out of Pali P.S. Case No. 61/2019, pending in the court of learned Additional Sessions Judge-V, Jehanabad.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of copy of this order.

The District Magistrate and the Superintendent of Police, Jehanabad, are directed to ensure that the prosecution



witnesses are produced on the fixed date in the court below so
that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the
District Magistrate and the Superintendent of Police, Jehanabad.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

