

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.484 of 2022

Arising Out of PS. Case No.-3 Year-2017 Thana- RAJEPUR District- East Champaran

MAHARANA PRATAP YADAV Son of Late Paldhari Rai Resident of
Village- Fajilpur, P.S. Rajepur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Jha, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-01-2022 The present petition is by way of 3rd attempt at the behest of the petitioner for grant of bail in connection with Rajepur P.S. Case No. 03 of 2017 registered for the offences punishable under Sections 307, 302 and other allied sections of the Indian Penal Code and Section 27 of the Arms Act in as much as his earlier prayers for grant of bail have been rejected by a co-ordinate Bench this Court vide orders dated 6.7.2018 and 14.8.2019 passed in Cr. Misc. No. 25864 of 2018 and Cr. Misc. No. 45846 of 2019.

The allegation is regarding the accused persons including the petitioner herein having assaulted and inflicted gun shot injury on the deceased, resulting in his death.

The learned counsel for the petitioner has



submitted that the petitioner is languishing in custody since 8.11.2017 and the change in circumstance in the present case is that one of the injured witness has not taken the name of the petitioner to be the assailant.

Per contra, the Mr. Binod Kumar Modi, the learned APP for the State has vehemently opposed the prayer for bail.

I have the learned counsel for the parties and perused the materials available on record and I find that the material which has transpired during the course of trial cannot be looked into at the stage of grant of bail and has to be considered at the time of delivery of judgment by the learned court below in the ongoing trial, hence I do not find any change in circumstances so as to warrant reconsideration of the prayer of the petitioner for grant of bail, thus, the present petition stands dismissed being bereft of any merit.

(Mohit Kumar Shah, J)

Tiwary/-

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

