

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62039 of 2022

Arising Out of PS. Case No.-368 Year-2021 Thana- PARSABAZAR District- Patna

Madhusudan Kumar Yadav @ Madhusudan Gop @ Pankaj Son of Late
Baldeo Singh Resident of Village - Mokimpur, P.S.- Parsa Bazar, District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate.

For the Opposite Party/s : Mrs. Asha Devi, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-12-2022 Heard Mr. Jay Ram Prasad, learned counsel appearing
on behalf of the petitioner and Mrs. Asha Devi, learned A.P.P.
for the State.

The petitioner had earlier moved before this Court by
filing Cr. Misc. No. 15258 of 2022 for grant of bail for offences
committed under Section 30(a) of the Bihar Prohibition and
Excise Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.
The said Criminal Miscellaneous was dismissed vide order
dated 16.06.2022.

The present bail application has been preferred in
light of the observation made in the order dated 16.06.2022 that
the petitioner may renew his prayer for bail after a period of 12
months.

This Court vide order dated 23.11.2022 had sought
report from the court below with respect to stage of the trial.

Learned Special Judge, Excise, Patna vide Letter No.
172 dated 05.12.2022 has informed that the trial could not be



proceeded in the circumstance that four accused named in the F.I.R. have remained absconding on the date fixed by the trial court and steps have been taken against them for cancelling their bail bonds.

Learned counsel appearing on behalf of the petitioner submits that the petitioner will make an application to separate his trial and in such circumstance he is ready to appear on each and every date fixed by the trial court. Learned counsel further submits that petitioner is an under trial and for the deliberate defiance made by the other co-accused, he should not be allowed to remain in jail any further. His trial may be separated.

Considering the nature of allegation and criminal antecedent of the petitioner, this Court is not inclined to enlarge the petitioner on bail at this stage.

However, considering the specific submission made on behalf of the petitioner, the trial court is directed to conclude the trial against the petitioner within a period of six months.

With the above observation, the bail application stands disposed of.

(Purnendu Singh, J)

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