

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4402 of 2023

Arising Out of PS. Case No.-394 Year-2019 Thana- LALGANJ District- Vaishali

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UTPAL KUMAR @ UTPAL PANDEY @ CHHOTU @ UTPAL KUMAR
PANDEY Son of Ravindra Pandey @ Ravindra Kumar Pandey Resident of
Village- Lakhani Sarai, P.S.- Lalgañ, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 29-03-2023 Heard the parties.

The petitioner seeks bail in connection with Lalgañ
P.S. Case No. 394 of 2019 registered for the offences punishable
under Sections 341, 323, 307, 504, 506/34 and Section 27 of the
Arms Act.

As per prosecution case, there is accusation against
the petitioner is that he took out pistol from his waist and fired
at the informant, which hit on his thigh and due to which he fell
down.

Learned counsel for the petitioner submits that the
petitioner is in custody since 19.11.2021. Petitioner bears three
criminal antecedent in which he is on bail in all cases.

Learned counsel for the State vehemently opposes the



prayer for bail of the petitioner and submits that the prayer for bail of the present petitioner was earlier rejected on merit vide order dated 30.08.2022 passed in Cr. Misc. No. 291 of 2022.

This Court vide order dated 15.02.2023 called for a report regarding present stage of trial as well as expected time for conclusion of trial of the present case. The learned trial Court vide letter no. 36/2023 dated 06.03.2023 reported that presently the case is at the stage of prosecution evidence and out of 14 charge sheeted witnesses, 2 witnesses have already been examined and other 12 witnesses are yet to be examined in this case. The learned trial court also reported that trial would likely to be concluded within nine months, if the parties will co-operate in trial.

Considering the facts and circumstances of the case, bail petition of the petitioner was earlier rejected and materials available on record, I am not inclined to grant bail to the petitioner. Accordingly, bail petition of present petitioner is hereby rejected.

However, learned trial court is directed to conclude the trial preferably within nine months from the date of receipt/production of the copy of this order. If the case is not concluded within nine months the petitioner may renew his



prayer for bail.

(Alok Kumar Pandey, J)

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