

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7068 of 2023

Arising Out of PS. Case No.-143 Year-2021 Thana- RAJGIR District- Nalanda

Karan Yadav @ Ram Karan Kumar Son of Muneshwar Yadav R/O Village-Baditicha, P.S.- Rajgir, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the informant : Mr. Udbhay, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.

Petitioner seeks regular bail in connection with Sessions Trial No. 570 of 2021 arising out of Rajgir P.S. Case No. 143 of 2021 registered for the offences punishable under Sections 341, 307, 302, 34, 120(B) of the Indian Penal Code and Section 27 of Arms Act.

As per the prosecution, the police personnel while patrolling received information that one person named Kundan Singh has been shot by some unknown miscreants.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner is suffering from HIV disease, during investigation a confessional statement of co-accused given before the police surfaced against the petitioner and except this there is no any other material against



him to connect him to the alleged occurrence and if the petitioner is released on bail then his relatives or the near guardian are ready to file their undertaking before the trial court to look after the petitioner in well manner in respect of his disease and the petitioner has been languishing in jail since 26.08.2021.

Learned counsel for the informant has vehemently opposed the bail prayer and submitted that the petitioner's trial is about to end and only cross-examination of last prosecution witness is to be made which shall be done in the next coming date.

Heard both the side. The order impugned goes to show that as per the report sent by the Jail Doctor to the trial court the health condition of the petitioner is normal, though he is suffering from serious disease HIV but as his trial is on the verge of end so at this stage, it will not be proper to release him on bail. Accordingly, his bail prayer stands rejected.

Petitioner may renew his bail prayer after three months, if his trial is not concluded within the said period.

(Shailendra Singh, J)

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