

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14867 of 2023

Arising Out of PS. Case No.-33 Year-2017 Thana- JANKINAGAR District- Purnia

Binod Yadav Son Of Kallar Yadav Resident Of Village - Janki Nagar, P.S.-
Janki Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shail Kumari

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 341, 323, 324, 325, 302, 307, 379, 34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was twice rejected by the coordinate Benches of this Court vide orders dated 04.05.2018 and 08.09.2020 passed in Cr. Misc. Nos. 26584 of 2018 and 20773 of 2020 respectively.

It is alleged against the petitioner that he



pierced *bhala* blow on the stomach of the father of the informant, as a result of which, he died.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is a case and counter case between the parties and the occurrence took place on account of irrigation of land and in protecting own land of the petitioner. The petitioner is languishing in custody since 15.09.2017. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation against the petitioner that he gave *bhala* blow on the stomach of the deceased.

In pursuance to the direction of this Court, a report with regard to the present stage of the trial has been received which has been kept at Flag-A.



The report of learned Additional District & Sessions Judge-V, Purnea dated 18.05.2023 suggests that trial shall be concluded within six months.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same on day-to-day basis within a period of four months.

The petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within four months.

(Sunil Kumar Panwar, J)

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