

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15389 of 2023

Arising Out of PS. Case No.-176 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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JAI KRISHAN KANAHAIYA @ JAI KISHAN KANHAIYA @ KRISHAN
KANHAIY, aged about 35 years, SON OF JAWAHAR YADAV R/O
VILLAGE- SIRAIYA, P.S.- SAHEBPUR KAMAL, DISTRICT-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 15565 of 2023

Arising Out of PS. Case No.-176 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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JAWAHAR YADAV, aged about 61 years, male, S/O DOMAN YADAV R/v-
Siraiya, P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 15633 of 2023

Arising Out of PS. Case No.-176 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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RAMASHISH YADAV, aged about 50 years, SON OF DOMAN YADAV
R/O VILLAGE- SIRAIYA, P.S.- SAHEBPUR KAMAL, DISTRICT-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 15389 of 2023)
For the Petitioner/s : Mr.Uday Prakash Shharma, Advocate
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, App
For the informant : Mr. Ram Sumiran Rai, Advocate
(In CRIMINAL MISCELLANEOUS No. 15565 of 2023)



For the Petitioner/s	:	Mr.Uday Prakash Shrarma, Advocate
For the Opposite Party/s	:	Mr.Syed Mojibur Rahman, App
For the informant	:	Mr. Ram Sumiran Rai, Advocate
(In CRIMINAL MISCELLANEOUS No. 15633 of 2023)		
For the Petitioner/s	:	Mr.Uday Prakash Shrarma, Advocate
For the Opposite Party/s	:	Mr.Shahabuddin Azeem @ S. Azeem, App
For the informant	:	Mr. Ram Sumiran Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 19-04-2023 Heard learned counsel for the petitioners, learned
APPs for the State and learned counsel for the informant.

2. Petitioners seek regular bail in connection with Sahebpur Kamal P.S. Case No. 176 of 2021 dated 21.07.2021 registered for the offence(s) punishable under Section(s) 120(B), 302, 147, 148, 149 and 354(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. This is a second attempt of the petitioners for the relief of regular bail after the petitioners' earlier attempt for the same relief was rejected by this Court vide order dated 13.07.2022 passed in Cr. Misc. No.13497 of 2022 preferred by these petitioners and now the petitioners have come again for the same relief.

4. It is submitted by learned counsel for the petitioners that the petitioner / Jawahar Yadav is 61 years old and as per the allegations levelled in the FIR, he was having arms but there is no allegation that he used the said arms and this petitioner has fair and clean antecedent and as per the



postmortem report of the deceased, only one firearm injury on his body was found and the same has specifically not been attributed against any of the petitioners. Further submission is that petitioner / Jai Krishan Kanahaiya is 35 years old and petitioner /Ramashish Yadav is 50 years old and both have been languishing in jail since 17.08.2021 and trial of all the petitioners has not started till now.

5. Learned counsel appearing for the informant has vehemently opposed the bail prayer of all the petitioners and submitted that the earlier bail prayer of all these petitioners was rejected after considering all the facts stated by the petitioners' counsel and there is no new ground or circumstance entitling the petitioners for the privilege of bail and in the family of the victim, there is no male member and informant is ready to co-operate in the trial and all the private prosecution witnesses will be produced on each date before the trial court after the commencement of the trial.

6. Having considered the seriousness of the allegation appearing against the petitioners and as per the report sent by the court below, case of the petitioners is running for supplying of police papers to the accused persons, I find no fresh ground in support of present prayer of the petitioners, accordingly, the



second bail prayer of the petitioners also stands rejected.

7. The court concerned, where the petitioners’ case is pending for commitment, is directed to take steps to commit the petitioners’ case as early as possible so that the petitioners’ trial can be started.

(Shailendra Singh, J)

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