

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17434 of 2023

Arising Out of PS. Case No.-180 Year-2019 Thana- CHAUTHAM District- Khagaria

Krishna Kumar @ Krishan Kumar Son of Raj Kumar Sharma @ Kripal
Sharma, Resident of Village - Paharchak, P.S.- Chautham, District - Khagaria.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Binod Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Mukesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 16-08-2023 This application has been filed for grant of regular bail to the sole petitioner who is in custody since 17.08.2019 in connection with Sessions Trial No. 144 of 2020 arising out of Chautham P.S. Case No. 180 of 2019 registered for the offences punishable under Sections 302/34, 120B of the Indian Penal Code and Section 27 of the Arms Act.

2. Learned counsel for the petitioner made a submission before this Court that the health condition of the petitioner is not good, hence, his prayer for regular bail be considered on the ground of his health issues.

3. By the order dated 28.06.2023, this Court called for a report from the Civil Surgeon, Khagaria as also a report from the learned Sessions Judge, Khagaria as to the present stage of the sessions trial and the time likely to be taken in conclusion thereof. A report has been received from the learned Sessions Judge,



Khagaria vide Letter No. 127 dated 6th July, 2023. On going through the same, it appears that the charges against the petitioner were framed on 01.03.2021. The prosecution and the defence witnesses have been examined and the case is pending for argument but the accused is not cooperating in the trial. Several petitions have been filed on each and every date regarding mental condition of the accused and the court below has called for a report from the Jail Superintendent, Khagaria, every time report has come showing the accused petitioner in normal condition.

4. Learned counsel for the petitioner still calls upon this Court to look into Annexure '5' to the present application which is said to be a letter written by the Jail Superintendent, Khagaria.

5. Having gone through the report of the learned Sessions Judge, Khagaria kept at Flag 'B' and on finding that the trial is on the verge of closure but the petitioner is not cooperating as also that every time Jail Superintendent has reported that the health condition of the petitioner is normal, this Court is not inclined to entertain the present application.

6. This application is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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