

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16398 of 2023**

Arising Out of PS. Case No.-136 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Rajesh Prasad Son of Late Mahajan Prasad @ Mahajan Bhagat Resident of
Village - Tarwara Koeri Tola, P.S.- G.B. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks bail in G. B. Nagar P. S. Case No.

136 of 2019 registered under Sections 307/34 of the Indian

Penal Code and Section 27 of the Arms Act.

The prosecution case is that that the petitioner has

fired upon the cheek of the victim.

Earlier, the prayer for bail of the petitioner was

rejected thrice on merit after due considerations vide orders

dated 11-11-2020, 13-04-2022 and 07-12-2022 passed in Cr.

Misc. Nos. 29046 of 2020, 9513 of 2022 and 57001 of 2022

respectively.

Learned counsel for the petitioner submits that having

regard to the custody of the petitioner since 18-12-2019, the



petitioner's prayer for bail should be considered favourably.

On the prayer being renewed, the Court called for a report from the Superintendent of Police, Siwan as regards the status of the trial.

Pursuant to this Court's order, report dated 19-05-2023 has been submitted by the Superintendent of Police, Siwan. The report is to the effect that the prosecution witness has already been closed and the matter was pending for defence witness on 30-05-2023.

In view of the advanced stage of trial, this Court is not inclined to take a different view then what has been taken by this Court while rejecting the prayer for bail on 11-11-2020, 13-04-2022 and 07-12-2022 passed in Cr. Misc. Nos. 29046 of 2020, 9513 of 2022 and 57001 of 2022 respectively,

Petition is rejected.

It is expected that the trial court will proceed in the matter expeditiously without any undue delay or unnecessary adjournments.

(Madhuresh Prasad, J)

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