

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21808 of 2023

Arising Out of PS. Case No.-10 Year-2013 Thana- BARH District- Patna

Ashok Yadav, Son of Late Bhago @ Bhagwat Yadav, Resident of Village-
Dumariya, P.S.-Barh, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate Mr. Raghubir Chandrayan, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 01-09-2023 Heard Mr. Arun Kumar, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

2. The present application has been filed for grant of bail to the petitioner, who is in judicial custody, in connection with Sessions Trial No. 31 of 2022 arising out of Barh P.S. Case No. 10 of 2013 for the alleged offences punishable under Sections 147, 148, 149, 341, 323, 325 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. This is the second attempt made on behalf of the petitioner. Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 11.07.2022, in Cr. Misc. No. 38579 of 2021, after taking into consideration the seriousness of the accusation that the petitioner is the author of



the fatal blow to his father-in-law. However, while rejecting the prayer for bail of the petitioner, liberty was given to the petitioner to renew his prayer for bail after six months, if the trial is not concluded within such period.

4. Vide order dated 05.04.2023, the status report with regard to the position of trial was called from the learned trial Court. It has been informed to this Court that the trial is pending for the examination of only two official witnesses and the same is likely to be concluded within a period of four months.

5. On the other hand, learned APP for the State opposed the bail application and submits that since the trial is at fag end and only the medical officer and the investigating officer is required to be examined, the release of the petitioner would certainly hamper the progress of the trial, because earlier the petitioner remained absconded, due to which the trial has been delayed.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the trial is at fag end and it is expected by the learned trial Court, the same is likely to be concluded within a period of four months, this Court is not persuaded to release the petitioner on bail, for the present.

7. Accordingly, the prayer for bail of the petitioner



stands rejected.

8. It is made clear that the learned trial Court shall take all the endeavours to conclude the trial within the expected period of four months, considering the fact that the petitioner has been incarcerated for more than four years, failing which the petitioner is at liberty to renew his prayer for bail, immediately.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

