

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24014 of 2023**

Arising Out of PS. Case No.-258 Year-2021 Thana- GOPALPUR District- Patna

SUBODH KUMAR @ PANDUA SON OF SRI UMESH RAI Resident of  
village - Bairiya, P.S. - Gopalpur, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amitesh Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

5      19-07-2023                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Special Case No.4621/2021 arising out of Gopalpur P.S. Case 258/2021, registered for the offence punishable under Sections 147, 148, 149, 341, 307, 504, 506 of the Indian Penal Code and 25 (1-b)a, 26 and 27 of the Arms Act and 37 (b) (c) of the Bihar prohibition and Excise Act, 2018.

3. As per prosecution case, there is accusation against the petitioner to shoot the informant's son as a result of which he sustained injury. There is alleged recovery of one country made pistol and he is found in intoxicated condition.

4. Learned counsel for the petitioner submits that petitioner is languishing in custody since 28.07.2021 and bears



no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner further submits that petitioner's brother has also filed Gopalpur P.S. Case No.233/2021 which is earlier from the case filed by the present informant.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner by submitting that there is specific allegation against the present petitioner which is corroborated by injury report as mentioned in para 50 of the case diary. He further submits that the bail of the present petitioner has already been rejected on merit vide order dated 02.08.2022 passed in Cr. Misc. no.5145/2022.

6. A report regarding stage of trial has been called for, from the trial court vide order dated 21.06.2023. The trial court vide letter no.133 dated 05.07.2023 has sent its report which reveals that the present case is fixed for hearing on 06.07.2023 on the discharge petition filed by the present petitioner.

7. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioner has been rejected on merit, I am not inclined to grant



bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, the trial court is directed to expedite the trial and conclude the same as early as possible.

**(Alok Kumar Pandey, J)**

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