

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27685 of 2023

Arising Out of PS. Case No.-258 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Chandan Dubey Son Of Jayram Dubey Resident Of Village-
Khavajepur(Olipur),Ps- Jadopur, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner has renewed his prayer for bail in connection with Town (Gopalganj) P.S. Case No. 258 of 2019 (Sessions Trial No. 599/2022) registered for the alleged offences under Sections 302, 120(B), 34 and 506 of the Indian Penal Code having earlier been rejected vide order dated 27.06.2022 passed in Cr. Misc. No. 64359 of 2021.

3. As per prosecution case, the petitioner and the co-accused stabbed friend of the informant to death.

4. Learned counsel for the petitioner submits that while rejecting the prayer for bail of the petitioner, this Court granted liberty to the petitioner for renewal of his prayer for bail after



nine months if the trial is not concluded within the stipulated period. Learned counsel further submits that since order dated 27.06.2022, no substantial progress has been made in the trial and charges have been framed only yesterday and there is no likelihood of conclusion of trial in near future. Learned counsel further submits that there was no previous enmity between the petitioner and the deceased and he has been falsely dragged in this case due to local politics. There is no cogent evidence against the petitioner. Other co-accused persons, namely, Awadhesh Singh, Chhotu Dubey and Vikash Sharma have been enlarged on bail by different Coordinate Benches of this Court vide orders dated 06.08.2019, 17.02.2020 and 09.08.2021 passed in Cr. Misc. No. 47407 of 2019, Cr. Misc. No. 66944 of 2019 and Cr. Misc. No. 21608 of 2021. The petitioner is in custody since 24.08.2021.

5. Learned APP oppose the prayer for bail submitting that the specific allegation against the petitioner is that he along with co-accused Pravin Shahi stabbed the friend of the informant to death and the case of the petitioner is not on similar footing with other persons who have been granted bail. Except for delay in conclusion of trial, there is no fresh ground and delay cannot be a ground for grant of bail.

6. Having regard to the rival submissions and



considering the facts and circumstances of the case, I do not find any fresh ground to consider the prayer for bail of the petitioner.

7. Hence, the prayer for bail is rejected.

8. However, the learned trial court is directed to take immediate steps for early conclusion of trial even by running the trial on day-to-day basis and conclude the same within a period of three months.

(Arun Kumar Jha, J)

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