

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28835 of 2022

Arising Out of PS. Case No.-32 Year-2020 Thana- PARBATTIA District- Khagaria

CHANDRASHEKHAR YADAV Son of Late Ramawatar Yadav Resident of
Village - Baisa, P.S.- Parbata, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 10-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is the third attempt of the petitioner to obtain bail in connection with Sessions Case No. 112/2020 arising out of Parbatta (Maraiya) P.S. Case No. 32/2020 registered for the offences punishable under Section 25 (1-b)a, 26, 35 of the Arms Act. Petitioner is in custody since 29.01.2020 having one criminal antecedent in which he is on bail as stated in paragraph '3' of the application.

Earlier the prayer for bail of the petitioner was rejected vide order dated 01.09.2021 passed in Cr. Misc. No. 34671/2021. The reason for rejection is that one carbine and two magazines were recovered from his possession and he had also concealed his criminal antecedent.

Learned counsel for the petitioner submits that



petitioner is in custody since 29.01.2020, therefore, he has already remained in jail for over three years.

Learned APP for the State submits that in this case the trial has already begun and the prosecution witnesses have been summoned.

Having regard to the nature of the allegation and the reasons provided in the order dated 01.09.2021 passed by this Court in Cr. Misc. No. 34671/2021, this Court finds no reason to take a different view of the matter. The trial has already begun. The trial court is directed to fix the records of the case on shorter dates and ensure that the trial is duly concluded as early as possible and in any case within a period of six months from the date of receipt/production of a copy of this order.

If the trial still remains unconcluded for no reason attributable to the petitioner, he may file an application for bail in the trial court.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

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