

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31983 of 2023**

Arising Out of PS. Case No.-35 Year-2019 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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RAMVIR YADAV @ RAMVEER YADAV Son of RAMNANDAN YADAV
Resident of Village- Kabirpur, P.S.- Shekhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Syed. Rizwanul Haque, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 28-06-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
Shekhopur Sarai P.S. Case No.35 of 2019 dated 03.05.2019
registered for the offence(s) punishable under Section(s) 147,
148, 149, 341, 323 and 307 of the Indian Penal Code and
Section 27 of the Arms Act.
3. This is second attempt of the petitioner for
the relief of regular bail after his earlier prayer for the same
relief was rejected by this Bench vide order dated 12.10.2022
passed in Cr. Misc. No.32059 of 2022 preferred by this
petitioner and now the petitioner has come again for the same
relief.



4. As per the allegation, the petitioner fired at the son of the informant as a result of which he became injured.

5. The fresh grounds taken by learned counsel for the petitioner in the present petition are that the petitioner has been languishing in jail since 22.10.2021 and he has spent about one year and eight months in jail and no significant development in the petitioner's trial has taken place after the rejection of petitioner's earlier prayer and prosecution witnesses were examined on 07.06.2022 but thereafter no prosecution witness was produced and examined which shows the prosecution's slowness in producing and examining the prosecution witnesses and the same also shows the lingering attitude on the part of prosecution in concluding the petitioner's trial.

6. Learned APP appearing for the State opposes the bail prayer.

7. Heard both the sides. Though there is a serious allegation against this petitioner but considering his judicial custody period which has been about one year and eight months and prosecution's slowness in producing and examining the prosecution witnesses as mentioned above, in the opinion of this court, in the present circumstances the petitioner now deserves to a lenient approach of this court. Accordingly, let the petitioner



be released on bail on furnishing bail bond of Rs.10,000/-(Ten
Thousand) with two sureties of the like amount each to the
satisfaction of the concerned Court in connection with
Shekhopur Sarai P.S. Case No.35 of 2019.

(Shailendra Singh, J)

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