

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49596 of 2023

Arising Out of PS. Case No.-99 Year-2020 Thana- PURAINI District- Madhepura

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BIRBAL MEHRA @ BIRBAL KUMAR @ BIRBAL KUMAR RAM @
BIRVAL KUMAR RAM SON OF RAMDEV RAM @ TIMMU MEHRA
R/O-MAKADAMPUR, KAHARTOLI, P.S.-PURAINI, DISTT.-
MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 08-09-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with

Puraini P.S. Case No. 99 of 2020 registered for the offences

punishable under Sections 341, 323, 307/34 of the Indian

Penal Code and under Section 27 of the Arms Act.

3. As per prosecution case, the petitioner is

alleged to have fired upon the informant which hit upon the

chest of informant.

4. Learned counsel for the petitioner submits that

petitioner is in custody since 04.03.2021 and prayer for bail

of the petitioner has been rejected earlier vide order dated



21.09.2022 passed in Cr. Misc. No. 69651 of 2021. He further submits that since the date of rejection of the bail prayer of the petitioner near about one year has been lapsed but charge has not been framed as yet and delay of trial is not attributable to the petitioner as he is in custody since 04.03.2021.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that prayer for bail of the present petitioner has already been rejected on merit. He further submits that there is specific allegation against the petitioner and the same is corroborated by the injury report.

6. A report regarding stage of trial has been called for vide order dated 02.08.2023. The trial court vide letter no. 90 dated 18.08.2023 has sent its report which reveals that the trial is fixed for framing of charge on 29.08.2023. It further entails that there are total eight charge-sheeted witnesses including the M.O. of the case. The aforesaid report further reflects that the trial court has sought three months for concluding the trial.

7. Considering the facts and circumstances of the



case, keeping in view that earlier bail prayer of the petitioner has been rejected on merit and keeping in view the proceeding of trial, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of petitioner is hereby rejected.

8. However, if the trial is not concluded within six months from the date of receipt of copy of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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