

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49752 of 2023**

Arising Out of PS. Case No.-134 Year-2019 Thana- RANIGANJ District- Araria

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RUPESH YADAV S/O UGAN YADAV @ UGAIN YADAV @ UGANAND
YADAV R/O VILLAGE- BELSARA, WARD NO. 6, PS. RANIGANJ, DIST.
ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms Rabia Gulnaz, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-11-2023 Heard Ms. Rabia Gulnaz, learned counsel for the

petitioner and the learned APP for the State.

2. The petitioner seeks regular bail in connection
with Raniganj P.S. Case No. 134 of 2019, registered for the
offence punishable under sections 302/34 of the Indian Penal
Code and section 27 of the Arms Act.

3. Specific allegations have been levelled against
some accused persons including the petitioner herein of firing
from close range which ultimately killed the younger brother
of the informant. So far as this petitioner is concerned,



allegation is that he shot on the temporal region of the deceased by his country made pistol.

4. Earlier the bail application of the petitioner was rejected on 13.4.2022 and a report was also called for from the Court of Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 134 of 2019 on 2.8.2023 which has since been received.

5. As per letter no. 5855/2023 dated 26.8.2023 sent by learned Sessions Judge, Araria, out of nine charge-sheeted witnesses, four prosecution witnesses have been examined, cross examined and discharged and it has further been undertaken that the trial will be concluded within six months from the date of the order.

6. Considering the kind of allegation that has come against the petitioner as also the fact that he has 11 criminal antecedents under his belt, this Court is not inclined to extend him the privilege of bail which is accordingly rejected.

7. Taking into account that the petitioner has remained in custody for four years, the trial has to be concluded within a period of six months from today.

8. Though the bail application has been rejected, this Court would like to put on record its word of



appreciation for Ms. Rabia Gulnaz, learned counsel for the
petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

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