

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53882 of 2022

Arising Out of PS. Case No.-114 Year-2020 Thana- GOPALPUR District- Bhagalpur

Ramrati Yadav S/O Late Kamli Yadav Resident of village- Latra, P.S.-
Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 12-07-2023 Heard learned counsel for the petitioner and Mr.
Binod Kumar No.3, learned APP for the State.

Petitioner in the present case is renewing his prayer
for bail in connection with Gopalpur P.S. Case No.114 of 2020
registered for the offences punishable under Section 302/34 of
the Indian Penal Code.

Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 27.07.2021 passed in
Cr.Misc.No.98 of 2021 after noticing that he is said to be one of
the accused who were chasing and firing upon the deceased and
the submission of learned APP was that in the case diary the
materials have come showing that from the place of occurrence
police had seized one 315 bore pellet, two empty cartridges of
315 bore, two empty cartridges of 7.62, one live cartridge of 9
mm pistol and one more empty cartridge suggesting that



indiscriminate firings were done by the accused persons.

Learned counsel for the petitioner submits that the petitioner has remained in custody for about three years and three months and at this stage the trial is not likely to be concluded.

This Court has received a report from the learned District and Sessions Judge, Bhagalpur as contained in letter no.161 dated 3rd July, 2023 from which it is evident that earlier order of this Court passed on 27.07.2021 was not placed before the learned trial court until 25.08.2022. According to the report, the case is fixed for prosecution evidence and the learned trial court is of the view that eight months time is likely to be taken in conclusion of the trial.

Having regard to the earlier observations of this Court and the materials and further taking note of the report that the trial is likely to be concluded within eight months and the evidence has already begun, this Court is not inclined to grant bail to the petitioner. The prayer is refused.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

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