

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54579 of 2022

Arising Out of PS. Case No.-63 Year-2018 Thana- VIDYAPATINAGAR District- Samastipur

Akhilesh Kumar @ Dhoni, Son of Sitaram Singh @ Sitaram Mahto, Resident
of Village - Pyare Chowk, Gadhai Sai, P.S.- Vidyapati Nagar, Distt.-
Samastipur. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case has renewed his prayer for regular bail in connection with Sessions Trial No. 205 of 2021 arising out of Vidyapati Nagar P.S. Case No. 63 of 2018 registered for the offences punishable under Sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Earlier his prayer for bail was rejected by this Court vide order dated 23.03.2022 passed in Cr. Misc. No. 37984 of 2021 for the reasons recorded therein. This petitioner is said to have fired upon the husband of the informant and he has been taken on remand in this case only after his arrest in another case after two and half years of rejection of his prayer for anticipatory bail which led to delay in conclusion of trial.

A report has been received from the learned trial court



from which it appears that out of fourteen prosecution witnesses now the evidence of I.O. and Doctor are only required to be recorded and the trial court is expecting to conclude the trial within a period of six months.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the gravity of the offence alleged against the petitioner and the observations of this Court in the earlier order as also the fact that the trial itself is on the verge of conclusion, this Court is not inclined to release the petitioner on bail.

The prayer for regular bail of the petitioner is, thus, refused.

Let the trial court conclude the trial within the given period of six months. If the trial is not concluded in the said period, it will be open for the petitioner to pray for bail in the learned trial court.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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