

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70265 of 2021**

Arising Out of PS. Case No.-414 Year-2019 Thana- SAUR BAZAR District- Saharsa

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Bikash Yadav @ Vikash Kumar @ Vikash Yadav Son of Varun Yadav
Resident of Village- Bhapatiya, P.S.- Sour Bazar, District- Saharsa (Bihar).
... .. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anant Kumar 1, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

14 18-01-2023 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Saur Bazar (Bajjnathpur) P.S. Case No. 414 of 2019, S.T. No. 103/2020 registered for the offence under section 302, 120(B) of the Indian Penal Code and section 27 of the Arms Act. He is in custody since 07.01.2020 having twenty (20) criminal antecedents.

Earlier the prayer for bail of the petitioner was rejected by this Court in Cr. Misc. No. 35428/2020.

Learned counsel for the petitioner submits that till date the trial has not been concluded, therefore, the petitioner has renewed his prayer for bail.

Mr. Md. Fahimuddin, learned A.P.P. for the State has opposed the prayer for bail of the petitioner submitting that



considering the seriousness of the offence alleged and the materials present against him as also his criminal antecedents, this Court has already rejected his prayer for bail on earlier occasion.

It is submitted that so far as the present stage of the trial is concerned, as per the report received from the learned Additional Sessions Judge – IV, Saharsa, the prosecution evidence has already been closed and the case was fixed for statement under Section 313 Cr.P.C. on 13.01.2023. It is, thus, submitted that at this stage the petitioner does not deserve privilege of bail as his release is only likely to delay the conclusion of trial.

Having regard to the facts and circumstances of the case, the fact that the trial itself is likely to be concluded very soon as the case has already been fixed at the stage of section 313 Cr.P.C., this Court is not inclined to direct release of the petitioner on bail.

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

Let the trial be concluded as expeditiously as possible.

(Rajeev Ranjan Prasad, J)

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