

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60487 of 2022

Arising Out of PS. Case No.-34 Year-2021 Thana- BAKHTIYARPUR District- Patna

Gautam Kumar, Son of Late Anil Singh, R/V- Sirsi, P.S- Bakhtiyarpur, Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 22-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner, who is in custody since 12.04.2021, has renewed his prayer for bail in connection with Sessions Trial No. 541 of 2021, arising out of Bakhtiyarpur P.S. Case No. 34 of 2021, having earlier been rejected by order dated 04.07.2022 in Cr. Misc. No.68536 of 2021 for the alleged offences under Sections 354A, 354B, 326, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioner sexually assaulted the daughter of the informant and later on shot dead the husband of the informant.

The learned counsel for the petitioner further submits that the petitioner had earlier moved before this Court for grant



of bail in Cr. Misc. No.68536 of 2021 and his prayer for bail was rejected vide order dated 04.07.2022 with a liberty that if the trial was not concluded within three months, the petitioner might renew his prayer for bail. The learned counsel further submits that the prosecution has completed examining its witnesses, but defence has filed an application for recall of two witnesses examined in the case.

Learned A.P.P. opposes the prayer for bail submitting that on merit, the prayer for bail of the petitioner had already been rejected earlier.

Perused the records.

Vide order dated 25.01.2023, considering the fact that only one witness remained to be examined in this case, the Senior Superintendent of Police, Patna was directed to ensure the presence of remaining witness in this case before the learned trial court and it has been reported by the Senior Superintendent of Police, Patna that the last witness Dr. Subhajit Ray has been examined on 15.02.2023 before the learned trial court.

Having regard to the nature of the offence which is quite serious and grave and considering the fact that the prosecution evidence has been concluded and the trial is at the fag end, I am not inclined to enlarge the petitioner on bail at this



stage.

Accordingly, his prayer for bail is rejected.

(Arun Kumar Jha, J)

V.K.Pandey/-

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