

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64799 of 2022

Arising Out of PS. Case No.-172 Year-2018 Thana- KHAIRA District- Saran

BADAN RAI Son of Late Suraj Rai R/v- Maksudpur (Balua Par) P.S.-
Khaira, District- Saran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agarwal, Sr. Advocate
	Mr. Dharendra Kr. Sinha, Advocate
	Mr. Sanju Singh, Advocate
For the Opposite Party/s :	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-01-2023 Heard the learned senior counsel for the
petitioner and the learned A.P.P. for the State.

The present petition is by way of fourth attempt at the behest of the petitioner for grant of bail in connection with Sessions Trial No. 387 of 2021 arising out of Khaira P.S. Case No. 172 of 2018 for the offence registered under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act, inasmuch as all the earlier prayers made by the petitioner for grant of bail have stood rejected.

The petitioner is alleged to have fired gun shots on the deceased leading to his death.

The learned senior counsel for the petitioner Shri N.K. Agarwal, has submitted that



the petitioner is languishing in custody since 28.03.2019 without there being any progress in the trial, hence the petitioner be admitted to the privilege of bail.

Per contra, the learned counsel for the State and the learned counsel for the informant have vehemently opposed the prayer for bail and it has been submitted that the co-accused persons are impeding the trial resulting in delay in conclusion of the trial.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned senior counsel for the petitioner and taking into account the materials available on record, this Court finds that there is no change in circumstance so as to warrant re-consideration of the prayer of the petitioner for grant of bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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