

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66967 of 2022**

Arising Out of PS. Case No.-99 Year-2020 Thana- SALAKHUA District- Saharsa

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Mritunjay Yadav, Son of Awadhesh Yadav @ Avdhesh Kumar, Resident of  
Village - Khurasan, P.S.- Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      18-01-2023                      Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of bail  
in a case registered under sections 302, 323, 341, 427, 504, 506,  
147, 148 and 149 of the Indian Penal Code and section 27 of the  
Arms Act.

The earlier application for bail of the petitioner was  
rejected vide order dated 7.9.2021 (Annexure-1) passed in Cr.  
Misc. no. 14111 of 2021.

As per the prosecution case, the petitioner is said to  
have shot the husband of the informant in his head leading to his  
death.

It is submitted by learned counsel for the petitioner  
that inspite of the petitioner being in custody since 11.7.2020, as  
per instructions received only two witnesses have been



examined on behalf of the prosecution and there is no chance of the trial concluding in the near future. The petitioner undertakes to cooperate in the trial.

A report was called for from the learned trial court. As per the report received contained in letter dated 19.12.2022, out of the seven charge-sheeted witnesses, two witnesses have been examined on behalf of the prosecution.

Heard learned A.P.P for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being the sole assailant of the deceased together with the progress in the trial in the learned trial court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

**(Partha Sarthy, J)**

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