

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76551 of 2023

Arising Out of PS. Case No.-652 Year-2021 Thana- TEKARI District- Gaya

SANJEEV KUMAR Son of Girjesh Sharma R/o vill - Pura, P.S. - Tekari,
Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

Mr. Manish Kumar No. 2, Adv.

Mr. Gajendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 22-12-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned A.P.P. for

the State.

2. The petitioner seeks bail in connection with

Sessions Trial No. 114 of 2022 arising out of Tekari P.S.

Case No. 652 of 2021 registered for the offences

punishable under Sections 302, 307, 120(B), 34 of the

Indian Penal Code and 27 of the Arms Act.

3. As per prosecution case, there is allegation

that petitioner fired upon the informant's daughter-in-

law as a result of which she died.



4. Learned counsel for the petitioner submits that petitioner is in custody since 14.12.2021. He further submits that prayer for bail of the present petitioner has already been rejected by this Court vide Cr. Misc. No. 51235 of 2022 on 03.02.2023 with direction to expedite the trial and conclude the same as early as possible.

5. Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner and submit that there is direct allegation of firing against the petitioner and earlier bail prayer of the petitioner has been rejected on merit and the postmortem report also supported the allegation made in the FIR.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 249 dated 30.11.2023 has sent its report which reveals that no witness has been examined as yet. The aforesaid report



further reveals that trial court sought nine months time to conclude the trial.

7. Considering the facts and circumstances of the case, arguments advanced on behalf of both sides, material available on record as well as report of the trial court, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, trial court is directed to conclude the trial as early as possible by putting the trial on day to day basis.

(Alok Kumar Pandey, J)

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