

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4483 of 2023

Arising Out of PS. Case No.-532 Year-2018 Thana- BODHGAYA District- Gaya

GAZNAFAR @ SAHEB @ GAJANFAR KHAN SON OF SAJARUDDIN
KHAN R/O VILLAGE- BARAINI CHEKRI, P.S.- CHERKI (BODH GAYA),
DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-02-2023 Petitioner has renewed his prayer for regular bail in connection with Bodh Gaya (Cherki) P.S. Case No. 532 of 2018 registered for the offence under Section 302 / 34 of the I.P.C. and Section 27 of the Arms Act inasmuch as earlier bail application of the petitioner was dismissed on 11.12.2019, 03.02.2021 & 16.05.2022 vide Cr. Misc. Nos. 47760 of 2019 , 31801 of 2020 & 63433 of 2021 respectively. While rejecting prayer for bail in the third attempt petitioner was granted liberty to renew his prayer for bail after four months if the trial does not show any progress.

This court vide its order dated 25.01.2023 has called for a report from the court below regarding the present stage of the trial, which has been furnished by the learned District &



Sessions Judge, Gaya vide letter no. 182 / 2023 dated 2nd February 2023 and from perusal of the same it transpires that all the prosecution witnesses have been examined and the statement of the accused persons have been recorded under Section 313 Cr.P.C. Besides this, three (03) defence witnesses have also been examined and the evidence was closed on 28.07.2022 and the case is fixed for argument. The learned Sessions Judge, Gaya has given the estimated time conclusion of the trial within three months.

In view of the aforesaid position and the fact that the trial is at the verge of conclusion, I am not inclined to grant regular bail to the petitioner at this stage.

The prayer for bail is rejected.

However, the petitioner may renew his prayer for bail after three months if the trial does not conclude.

(Anil Kumar Sinha, J)

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