

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80188 of 2023

Arising Out of PS. Case No.-76 Year-2022 Thana- RAJAOLI District- Nawada

Shivnath Prasad Kushwaha Son Of Sri Mahesh Mahto R/O Village- Ballapur,
P.S.- Ghorasahan, District- East Champaran (Motihari), At Present Resident
Of Mohalla- Bhootnath Road, Housing Colony, Patna, P.S.- Agamkuan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-12-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Rajauli P.S. Case No. 76 of 2022 dated 20.02.2022 registered for the offence(s) punishable under Section(s) 25(1-b)a, 26 of the Arms Act.
3. This is second attempt of the petitioner for the relief of regular bail after his earlier attempt for the said relief was rejected by this court vide order dated 26.08.2022 passed in Cr. Misc. No. 31866 of 2022 preferred by this petitioner.
4. The main submissions advanced by learned counsel for the petitioner are that the petitioner's trial is at the verge of end and all the prosecution witnesses have been



examined and petitioner's statement under Section 313 of Cr.P.C. is to be recorded by the trial court and thereafter some defence evidence may be given by the petitioner.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

6. Heard both the sides. Though the petitioner has been languishing in jail since 21.02.2022 having fair and clean antecedent, however, as his trial is at the verge of end so at this stage, it will not be proper to enlarge him on bail. Accordingly, his second attempt for bail stands disposed of with a direction to the trial court to conclude the petitioner's trial in the next 3 (three) months. If the petitioner's trial is not concluded within the said period of 3 (three) months, then the petitioner may renew his bail prayer.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

