

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8062 of 2024

Arising Out of PS. Case No.-53 Year-2019 Thana- MALAYPUR District- Jamui

RAJENDRA YADAV S/O MISHRI YADAV R/O VILLAGE- DEVACHAK,
P.S- MALAYPUR, DISTT.- JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Malaypur P.S. Case no. 53 of 2019 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the four named accused persons caught hold of the informant's brother while this petitioner shot him, as a result of which he died.

4. It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide orders dated 4.1.2022 passed in Cr. Misc. no. 26570 of 2021 and dated 10.5.2023 passed in Cr. Misc. no. 20525 of 2023.



5. It is submitted by learned counsel for the petitioner that inspite of the petitioner having remained in custody for over 4 years , the trial has still not concluded and there is no chance of the same concluding in the near future.

6. Heard learned A.P.P. for the State.

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 22.2.2024 from the 2nd Additional District and Sessions Judge, Jamui, five witnesses have been examined on behalf of the prosecution while seven witnesses remain to be examined which includes the Investigating Officer. As per the report, the trial is expected to conclude within a period of nine months.

8. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner that he is the main/sole assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. Learned trial Court is directed to expedite the trial and to conclude the same within a period of six months.

(Partha Sarthy, J)

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