

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14007 of 2024

Arising Out of PS. Case No.-87 Year-2020 Thana- BELCHHI District- Patna

Ratan Yadav Son Of Sri Hari Yadav Resident Of Village - Gannichak, P.S. -
Belchhi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
		Mr. Adarsh Singh, Advocate
		Mr. Ravikant Kumar, Advocate
		Mr. Rabish Kumar, Advocate
For the Opposite Party/s :		Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-05-2024 Heard Ld. counsel for the Petitioner and Ld. APP for
the State.

2. The petitioner seeks bail in connection with Session
Trial No. 426 of 2021 arising out of Belchhi P.S. Case No. 87 of
2020 dated 24.11.2020, registered for the offences punishable
under Section 302 read with Section 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The prosecution case as emerges from the FIR is
that on 24.11.2020 at 8:30 AM, four persons, including the
present Petitioner armed with country made *katta* and revolver,
surrounded informant's husband when he was preparing ridge. It
is further alleged that the accused persons opened fire upon the



informant's husband due to which he became unconscious. Thereafter, he was taken to the hospital where he was declared dead.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of land dispute between the parties. He further submits that nine PWs have already been examined, but all have stated that they were not present at the place of occurrence and they did not see the occurrence.

5. He further submits that the Petitioner has been languishing in jail since 25.11.2020.

6. It has also been stated in paragraph no. 3 of the bail petition that the Petitioner has earlier been made accused in other three cases and in all the three cases, he is on bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail and submits that earlier bail petition of the Petitioner was rejected in view of serious nature of allegation, because he was the main assailant and it transpires from the order dated 30.11.2023 passed by Ld. Additional District and Sessions Judge-V, Barh in Sessions Trial No. 426 of 2021 that nine witnesses have already been examined and the trial is likely to be concluded very soon and



the petitioner has three criminal antecedents.

8. Considering the aforesaid facts and circumstances, this Court is not persuaded to enlarge the petitioner on bail at this stage.

9. The present petition is dismissed, accordingly.

10. However, Ld. Trial Court is directed to expedite the Trial and in case the Trial is not concluded within six months, the Petitioner would be at liberty to renew his prayer for bail.

(Jitendra Kumar, J.)

Shoaib/
Ravi Shankar

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

