

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61558 of 2023

Arising Out of PS. Case No.-335 Year-2020 Thana- JAGDISHPUR District- Bhojpur

SHYAM BIHARI SINGH SON OF UPDESH SINGH Village- Rampura Ps-
Jagdishpur Dist- Bhojpur

The State of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priyanka Singh, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 02-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no. 172 of 2021, arising out of Jagdishpur P.S Case no.335 of 2020 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 petitioner is said to have fired from his rifle causing fire arm injury on the head of the uncle of the informant leading to his death.

4. The earlier applications for bail of the petitioner were rejected vide orders dated 23.12.2021 passed in Cr. Misc. no.27678 of 2021 and dated 4.1.2023 passed in Cr. Misc. no.67359 of 2022.



5. It is the case of the petitioner that inspite of the petitioner having remained in custody since 29.12.2020 and cooperating in the trial, the trial has still not concluded. As such he be released on bail. He undertakes to cooperate in the trial.

6. The prayer for bail is opposed by learned A.P.P for the State.

7. A report was called for from the learned trial Court. As per the report received dated 3.1.2024, all the six charge-sheet witnesses as also two other witnesses on behalf of the prosecution including the Investigating Officer have been examined.

8. In view of the facts and circumstances of the case, the allegation against the petitioner of being the assailant of the deceased and the substantial progress in the trial in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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