

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49947 of 2023

Arising Out of PS. Case No.-236 Year-2020 Thana- IMAMGANJ District- Gaya

ADITYA YADAV SON OF KAILASH YADAV RESIDENT OF VILLAGE-
BIKOPUR, PS- RAUSHANGANJ, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

9 01-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with S.
Tr. No. 517-2022/98-2022, arising out of Imamganj P.S. Case
No. 236 of 2020 registered for the offences punishable under
Section 302/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per prosecution case, there is accusation
against the petitioner to have made firing upon the informant's
mother which hit the back of informant's mother and during
course of treatment she died. There is also allegation against the
petitioner that he again made firing which went in vain.

4. Learned counsel for the petitioner submits that
the bail of the present petitioner has already been rejected by
this Court Vide Cr. Misc. 20804 of 2022 on 22.09.2022. He
further submits that petitioner is in custody since 08.12.2021



and bears criminal antecedent of eight cases. He further submits that petitioner has falsely been implicated in this case on mere suspicion. No incriminating article has been recovered from possession of the petitioner.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that earlier bail prayer of the petitioner has been rejected on merit vide order dated 22.09.2022 passed in Cr. Misc. No. 20804 of 2022. Learned A.P.P. further submits that there is specific allegation against the petitioner and the same is supported and corroborated by the postmortem report of deceased.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 1387 dated 14.12.2023 has sent its report in which it has been mentioned that after framing of charge, the learned trial court would endeavor to examine all five prosecution witnesses and conclude the trial in six months.

7. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioner has been rejected on merit as well as report of the trial court, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby



rejected.

8. However, the learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Alok Kumar Pandey, J)

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