

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61088 of 2024

Arising Out of PS. Case No.-322 Year-2021 Thana- LAXMIPUR District- Jamui

Bablu Yadav @ Bablu Kumar Son of Mishri Yadav Resident of Vill- Maghi,
P.S.- Laxmipur, District- Jamui, Bihar

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 29-11-2024 Heard learned counsel for the petitioner and Mr. Shyam Kumar Singh, learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with Laxmipur P.S. Case No. 322 of 2021 registered for the offence punishable under Sections 147/148/149/341/323/324/325/307 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier, the prayer for bail of the petitioner was allowed by this Court on 04.02.2023 in Cr. Misc. No. 48533 of 2022. The order dated 04.02.2023 was challenged by the informant in SLP (Cr.) No. 8084 of 2023 and the bail granted to the petitioner was cancelled by the Hon'ble Supreme Court.

4. Thereafter, the petitioner has surrendered in the Court below. He has again approached this Court for grant of



bail.

5. It has been submitted by the learned counsel for the petitioner that the specific statement of the victim Sanjay Yadav @ Tapeswar is that the petitioner had shot at him causing injury on the left side of his chest. Learned counsel for the petitioner submits that there is no such injury on the chest.

6. It has also been submitted by the learned counsel for the petitioner that the injured Sanjay Yadav @ Tapeswar has now killed his wife who is the informant of the present case for which Laxmipur P.S. Case No. 106 of 2024 has been filed and the injured Sanjay Yadav @ Tapeswar is in jail.

7. Learned counsel for the petitioner further submits that the petitioner has remained in jail for more than fifteen months and the trial is delayed. Only one witness has been examined.

8. Learned counsel for the informant has submitted that five witnesses have been examined in the trial. He has produced the deposition of three witnesses and submits that he has applied for the deposition of other two witnesses.

9. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail and has submitted that since the bail granted to the petitioner was earlier cancelled by the Supreme Court therefore, this Court



may not grant the petitioner bail.

10. I have considered the submissions of the parties.

11. Since the bail granted to the petitioner by this Court earlier has been cancelled by the Hon’ble Supreme Court in SLP (Cr.) No. 8084 of 2023, I am not inclined to grant bail to the petitioner. This application is dismissed.

(Sandeep Kumar, J)

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