

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65625 of 2024

Arising Out of PS. Case No.-442 Year-2022 Thana- MADANPUR District- Aurangabad

Pappu Kumar @ Chhotu W/o Dwarika Yadav R/o vill - Jamuniya, P.S.-
Madanpur, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-11-2024 Heard Learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.2 of 2024/02 of 2024, arising out of Madanpur P.S. Case No. 442 of 2022, lodged on 26.08.2022, under Sections 147/148/149/353/307/120B of the Indian Penal Code, under Sections 25(1-b)/A/26/35 of the Arms Act, 1959, under Sections 3, 4, 5 of the Explosive Substances Act, 1884 and under Sections 13, 16, 18, 20 of the Unlawful Activities (Prevention) Act, 1967.

3. Learned Counsel for the Petitioner submits that earlier prayer for bail of the petitioner was refused by this Court vide order dated 16.04.2024 passed in Cr. Misc. No.9839 of 2024. Counsel for the petitioner submits that the petitioner is in



custody since 20.10.2022 but no progress has taken place till date in the Trial, particularly, when all the witnesses are official.

4. Learned counsel for the State opposes the prayer for bail but submits that there is no private witness and all the witnesses are official witnesses and prosecution evidence should take place at the earliest.

5. From perusal of the report it transpires to this Court that there are six prosecution witnesses and all witnesses are official but till date none has turned up to adduce evidence.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby refused. This case belongs to Aurangabad District. It is directed to the Superintendent of Police, Aurangabad, to produce the official witnesses before the Trial Court through S.H.O. concerned for adducing evidence within three months so that the trial be concluded.

7. Office is directed to communicate this order to the Superintendent of Police, Aurangabad, forthwith through email for compliance.

(Dr. Anshuman, J)

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