

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70274 of 2024

Arising Out of PS. Case No.-24 Year-2013 Thana- AKILPUR District- Patna

Shambhu Ray @ Sambhu Ray @ Shambhu Gope Son of Govardhan Ray R/o
- Harshamchak, P.S - Akilpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s :	Mr. Raj Ballabh Singh, APP
For the Informant :	Mr. Surendra Kumar Mishra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with S.T.
No. 593 of 2024 arising out of Akilpur P.S. Case No. 24 of 2013
instituted for the offence under Sections 307, 302 & 34 of the
Indian Penal Code and Section 27 of the Arms Act. Earlier *vide*
order dated 23-06-2017, passed in Cr. Misc. No. 16098 of 2017
anticipatory bail of the petitioner was rejected. Again *vide* order
dated 08-04-2024, passed in Cr. Misc. No. 74412 of 2023,
regular bail of the petitioner was rejected. The present one is the
second attempt for regular bail.

3. Prosecution case in short is that while the
informant along with brother was on the way on motorcycle, the



accused persons including the petitioner started firing upon them. The petitioner fired upon the brother of the informant which hit on his chest and thereafter Santosh Rai and others also fired upon the informant.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23-03-2023. Petitioner bears five criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. Learned counsel for the petitioner submits that there is no likelihood of the trial being concluded in the near future and petitioner is languishing in judicial custody since 23-03-2024.

6. A report was called from the trial court and it is reported that six out of fourteen charge sheet witnesses have been examined. It is further recorded that record is pending on the stage of examination of remaining charge sheet witnesses.

7. On the other hand, learned counsel for the Informant contends that till date only three witnesses are yet to be examined and the trial is on the verge of its conclusion, hence, petitioner does not deserve the privilege of bail. Learned APP for the State has also opposed the prayer for grant of bail.

8. Considering the aforesaid facts and circumstances



of the case and specifically taking into account the advance stage of trial which suggests the trial to be concluded in the near future and keeping in view, there being no fresh ground for reconsideration of the matter, this Court is not inclined to grant bail to the petitioner. Prayer is *rejected*.

9. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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