

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67307 of 2023**

Arising Out of PS. Case No.-190 Year-2021 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Jwala Singh Son Of Rajan Singh R/O Village Saraiya P.S.- Bhagwanpur
District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

5 23-02-2024 1. Heard learned counsel for the Petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
S.Tr. Case No. 97/2022 arising out of Bhagwanpur P.S. Case
No. 190/2021 dated 17.10.2021 registered for the offences
punishable under Sections 307, 341, 504, 506, 120B of the
Indian Penal Code and Section 27 of the Arms Act and later on
Section 302 of IPC added.

3. The main submissions advanced by learned
counsel for the petitioner are that the petitioner earlier
approached to this Court for the relief of regular bail which was
rejected by this Court vide order dated 14.02.2023 passed in Cr.
Misc. No. 49656 of 2022 and the petitioner has again come
before this Court for the same relief mainly on the ground of his



long incarceration period and no progress in his trial.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Heard both the sides and perused the report sent by the trial Court regarding the status of the petitioner's trial. Though, petitioner's trial has not commenced as the same is running for the framing of charge but it has been mentioned in the report by the trial Court that petitioner took a plea of juvenility thereafter his plea was decided by Juvenile Justice Board against him and his matter was again sent to the trial Court and in the meantime, one co-accused has filed a petition under Section 227 of Cr.P.C. for discharge which is pending. These circumstances appearing from the report of trial Court show that there are reasonable reasons for not commencing the trial of the petitioner. Considering these facts as well as the nature of allegation, this Court is not persuaded to enlarge the petitioner on bail at this stage, accordingly, his prayer stands rejected.

6. However petitioner is given a liberty to renew his prayer for bail after one year if no progress is made in his trial. Trial Court is directed to decide the petition filed under Section 227 of Cr.P.C. by co-accused at the earliest preferably in the



next one month, if owing to some unavoidable situation the
petition cannot be decided then petitioner’s trial be run
separately.

(Shailendra Singh, J)

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