

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69599 of 2024

Arising Out of PS. Case No.-99 Year-2020 Thana- PURAINI District- Madhepura

Birbal Mahra @ Birbal Kumar @ Birbal Kumar Ram S/o Late Ramdev Ram
@ Timmu Mehra R/o Village- Makdampur Kahar Toli, P.S.- Purauni, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Puraini
P.S. Case No. 99 of 2020 registered for the offences punishable
under Sections 341, 323, 307/34 of the Indian Penal Code and
under Section 27 of the Arms Act.

3. As per prosecution case, the petitioner is alleged to
have fired upon the informant which hit upon the chest of
informant.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 04.03.2021 and prayer for bail of
the petitioner has been rejected twice earlier vide order dated
21.09.2022 passed in Cr. Misc. No. 69651 of 2021 and vide



order dated 08.09.2023 passed in Cr. Misc. No.49596/2023. He further submits that charge has been framed against the petitioner and he is in custody near about three years six months.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that earlier prayer for bail of the present petitioner has already been rejected twice vide order dated 21.09.2022 passed in Cr. Misc. No. 69651 of 2021 and vide order dated 08.09.2023 passed in Cr. Misc. No.49596/2023. He further submits that there is specific allegation against the petitioner and the same is corroborated by the injury report.

6. A report regarding stage of trial has been called for vide order dated 20.09.2024. The trial court vide letter no. 34/2024 dated 24.09.2024 has sent its report which reveals that that only 04 official witness have been examined and 07 witnesses including informant, I.O and other non-government witnesses are yet to be examined. The aforesaid report further reflects that the trial court has sought six months for concluding the trial.

7. Considering the facts and circumstances of the case, keeping in view that earlier bail prayer of the petitioner



has been rejected twice and keeping in view the proceeding of trial, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of petitioner is hereby rejected.

8. However, if the trial is not concluded within six months from the date of receipt of copy of this order, the petitioner may renew his prayer for bail. -

(Alok Kumar Pandey, J)

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