

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73357 of 2023

Arising Out of PS. Case No.-361 Year-2021 Thana- KONCH District- Gaya

Shiv Kumar Yadav Son Of Vidyanand Yadav Resident Of Village - Padrawan
Math, P.S. - Konch, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
For the State	:	Mr.Md. Fahimuddin, APP
For the Informant	:	Mr. Sunil Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-06-2024 Heard Mr. Y.C. Verma, learned senior counsel for the petitioner, Mr. Sunil Kumar Yadav, learned counsel for the informant and Mr.Md. Fahimuddin, learned APP for the State.

2. This is the second attempt of the petitioner to obtain regular bail in connection with Konch P.S. Case No.361 of 2021 registered for the offences punishable under Sections 147, 148, 149, 323, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act. Earlier his prayer for bail was rejected by this Court in Cr.Misc. No.55039 of 2022 after finding that he is the main assailant in this case.

3. Learned senior counsel for the petitioner submits that the petitioner has remained in incarceration for two years seven months but the trial has not been concluded, therefore, he



deserves privilege of bail.

4. The application has been opposed by learned counsel for the informant who has submitted that almost all the prosecution witnesses have been examined in this case and now the only I.O. of the case is to be examined which is likely to take very soon. It is submitted that considering the seriousness of the allegation against the petitioner and severity of punishment attached to the offence alleged against the petitioner, the custody of two years seven months alone cannot be a ground to grant privilege of bail to the petitioner.

5. Having regard to the submissions noted hereinabove, on finding that the trial is at the fag end and only one witness is to be examined, this Court is not inclined to grant privilege of bail to the petitioner. Prayer is refused.

6. Let the trial court proceed with the matter by keeping the records on shorter dates and all endeavours be made to conclude the trial as early as possible preferably within a period of six months from today.

(Rajeev Ranjan Prasad, J)

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