

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77416 of 2023

Arising Out of PS. Case No.-237 Year-2019 Thana- KISHANPUR District- Supaul

SANTAN KUMAR@MADAN YADAV S/O JAGDISH YADAV @ TUNAY
YADAV VILLAGE- BARAHATHA, PS. KISHANPUR, DIST. SUPAUL

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 06-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with S.T.
No.196 of 2020 arising out of Kishanpur P.S. Case No. 237 of 2019
registered for the offences punishable under Sections 201, 302,
364/34 of the IPC and section 27 of the Arms Act.

3. As per prosecution case, petitioner and others armed
with rifle and gun concertedly kidnapped the informant's son for the
purpose of murder and it is alleged that informant suspected that
accused persons might have killed his son and thrown the dead body.

4. Learned counsel submits that bail prayer of the
petitioner has been rejected by co-ordinate Bench of this Court on
three occasions : first on 05.01.2021 vide Cr. Misc. No. 29904 of
2020, then on 29.09.2021 vide Cr. Misc. No. 33399 and lastly on
10.08.2022 vide Cr. Misc. No. 27146 of 2022 with an observation



that trial court is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order. Learned counsel for the petitioner submits that petitioner is in custody since 17.01.2020 and bears criminal antecedent of one case. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that earlier bail for the petitioner was rejected on merit vide order dated 10.08.2022 passed in Cr. Misc. No. 27146 of 2022.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 05/2024 has sent its report which reveals that all charge sheeted witnesses have been testified, statement under Section 313 Cr.P.C of the accused persons have been recorded and the record at present is pending for defence evidence.

7. Considering the facts and circumstances of the case, particularly keeping in view the report of learned trial court and also this fact that earlier bail prayer of the petitioner has been rejected on merit , I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, the learned trial is directed to conclude the trial as early as possible.



(Alok Kumar Pandey, J)

vashudha/-

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