

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1614 of 2023

Arising Out of PS. Case No.-563 Year-2018 Thana- BARAUNI District- Begusarai

Champak Jha, Son of Late Shambhunath Jha @ Shambhunath Jha @ Late Shambhu Jha @ Shambhu Jha Resident of village - Kil, Garhara, Ward No.- 13, P.S.- Barauni, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

For the Informant : Mr. Pritish Kumar Lal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 10-04-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner in the present case has renewed his prayer for bail in connection with Sessions Trial No. 227 of 2020 arising out of Barauni P.S. Case No. 563 of 2018 registered for the offences punishable under Sections 302, 386, 34 of the Indian Penal Code and Section 27 of the Arms Act. He has eight criminal antecedents and in all those cases, he is on bail as per the statement made in paragraph '3' of the petition. He is in custody since 01.12.2018.

3. As per the prosecution story, on 23.11.2018 at 09:30 pm when the informant was going to his shop from his house after taking dinner, he saw 3-4 accused persons armed with weapons surrounded Gopal Kumar and started



indiscriminate firing for three times as a result of which Gopal Kumar sustained injury and fell down on the road. Thereafter, the informant and his elder son brought Gopal Kumar to Alexia Hospital for treatment and in the meantime, the SHO reached there along with police party where the injured Gopal Kumar disclosed that Champak Jha and Chhotu Singh were the accused persons.

4. Earlier, prayer for bail of the petitioner has been rejected by this Court thrice.

5. This Court called for a status report from the learned trial court which is available on the record. Learned Additional District and Sessions Judge-XI, Begusarai has informed that in this case after recording of statement under Section 313 CrPC, the defence has examined four witnesses. The defence witnesses have been examined and cross-examined till 11.03.2024 and presently the record is running at the stage of defence evidence and it was fixed on 16.03.2024.

6. From the report of the learned trial court, it is clear that the trial is on the verge of conclusion and now it is in the hands of defence to produce witnesses and take the case for hearing. This Court is, therefore, not inclined to grant bail to the petitioner at this stage.



7. The prayer for bail of the petitioner is, thus, refused.

8. Learned trial court is directed to conclude the trial as early as possible.

9. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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