

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5682 of 2024

Arising Out of PS. Case No.-82 Year-2019 Thana- KUDHNI District- Muzaffarpur

Rahul Kumar Son of Ram Karan Sah Resident of village - Tarson, P.S.
Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Sinha, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 17-05-2024 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. 752 of 2022 arising out of Kudhani (Turki O.P.) P.S. Case No.
82 of 2019 registered for the offences punishable under Section
302, 120B/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per prosecution case, there is allegation against
the petitioner and others to have fired upon the informant's brother
under conspiracy as a result of which he died.

4. Learned counsel for the petitioner submits that the
bail of the present petitioner has already been rejected by this
Court Vide Cr. Misc. 44507 of 2022 on 01.02.2023 with an
observation that if trial is not concluded within nine months, the
petitioner may renew his prayer for bail. He further submits that



petitioner is in custody since 02.03.2022, as mentioned in earlier order dated 01.02.2023 and bears criminal antecedent of four cases in which he is on bail. He further submits that petitioner has falsely been implicated in the case due to dirty village politics and he has not committed any offence as alleged in the F.I.R.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that earlier bail prayer of the petitioner has been rejected on merit vide order dated 01.02.2023 passed in Cr. Misc. No. 44507 of 2022. Learned A.P.P. further submits that there is direct allegation against the petitioner to have fired upon the victim and postmortem report also supports the prosecution story.

6. In pursuance of order dated 27.03.2024 the trial court vide letter no. 380 dated 04.04.2024 has sent its report and also sought maximum duration of nine months to conclude the trial.

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

8. However, trial court is directed to conclude the trial within eight months from the date of receipt/production of copy of



this order. If the trial is not concluded within the stipulated period of eight months, petitioner may renew the prayer for bail.

(Alok Kumar Pandey, J)

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