

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9920 of 2024

Arising Out of PS. Case No.-225 Year-2020 Thana- BARH District- Patna

Suraj Kumar S/O Shyam Lal Paswan RESIDENT OF Village Sahri, Police
Station Barh, District Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjana .

For the Opposite Party/s : Mr.Arvind Kumar Pandey ,App 84

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 225 of 2020, Sessions Trial No. 47 of 2021
registered for the offences punishable under Section 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner is said to have
fired upon the informant's son on his head due to which
informant's son died.

4. Learned counsel for the petitioner submits that on
13.10.2022 the bail of the present petitioner has already been
rejected on merit by this Court vide Cr. Misc. No. 55657 of
2021. He further submits that petitioner is in custody since
26.06.2020 which is near about four years. He further submits



that trial has not been concluded as yet and delay of trial is not in any way attributable to the present petitioner. Learned counsel further submits that upon the plain reading of the FIR it is evident that informant is not an eye witness of the alleged occurrence and he has falsely been implicated in the case.

5. Learned APP vehemently opposes the prayer of bail and submits that there is direct allegation against the petitioner and same is supported and corroborated by postmortem report.

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. 96 dated 27.03.2024 has sent its report which reveals that four witnesses have been examined and necessary procedures has been issued against I.O and Doctor and trial court has sought three months time for disposal of the case.

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 three months from the date of receipt/production of copy of this order and if the trial is not concluded within aforesaid period, petitioner may renew the prayer for bail.

(Alok Kumar Pandey, J)

vashudha/-

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