

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55708 of 2025

Arising Out of PS. Case No.-77 Year-2023 Thana- MALI District- Aurangabad

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Guddu Yadav @ Niranjan Yadav @ Guddu Son of Chandradeo Yadav Village
-Bishai PS -Mali District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 14/24/07/24 arising out of Mali P.S. Case No. 77 of 2023 instituted for the offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier vide order dated 06.03.2024 passed in Cr. Misc. No. 13853 of 2024 the prayer for grant of bail to the petitioner was rejected. This is the second attempt of the petitioner for grant of bail.

4. Prosecution case, in short, is that the petitioner fired upon the father of the informant due to which he died on the spot.



5. Learned counsel for the petitioner mainly submitted that the petitioner has been languishing in jail since 23.08.2023 and there is no significant progress in the trial. Learned counsel further submitted that out of six charge-sheet witnesses, only three witnesses have been examined and there is no likelihood of conclusion of trial in near future and therefore, petitioner may be released on bail. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. Having considered the submissions made on behalf of the parties, this Court finds no fresh ground to reconsider the



matter which has already been decided on merit by this Court as also taking into account the present stage of trial, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

9. Learned Trial Court is directed to expedite the trial.

10. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of three months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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