

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80362 of 2024**

Arising Out of PS. Case No.-250 Year-2023 Thana- BARHARA KOTHI District- Purnia

Bambam Kumar @ Bambam Yadav, aged about 20 years, Gender-Male, Son of Maheshwar Yadav, Resident of village - Vishahariya, Ward no. 12, P.S.- Barhara, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**

ORAL ORDER

3      19-03-2025                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Barhara P.S. Case No.250 of 2023 registered for the offence punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Misc. No. 5384 of 2024 vide order dated 04.04.2024.

4. As per the allegation in the FIR, petitioner has fired on the informant due to which he sustained gunshot injury.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He further submits that petitioner is named in the FIR and he is in custody since 23.06.2023.

6. Learned APP opposes the prayer for bail.

7. From perusal of the FIR and also perused the impugned order dated 13.12.2023 / 19.12.2023 passed by the learned Additional Sessions Judge-X, Purnea and also perused the report regarding the stage of trial from the Court of the learned 3<sup>rd</sup>, District and Additional Sessions Judge, Purnea vide Letter No. 129 of 2025 dated 18.02.2025, it appears that this is the second attempt for regular bail of the petitioner and first bail petition has already been rejected by this Court vide order dated 04.04.2024 passed in Cr. Misc. No. 5384 of 2024. It also appears from perusal of the report of the learned 3<sup>rd</sup>, District and Additional Sessions Judge, Purnea that trial of the case is in advance stage, charge has been framed against the accused person. Out of eight charge sheeted witnesses, all the six private witnesses have been examined. Only two Government witnesses i.e., Investigating Officer and Doctor have not been examined as well as summons has already been issued against them and the case was fixed for prosecution evidence, so considering all these aspects of this case, I am not inclined to grant bail to the



petitioner, accordingly the prayer of bail of the petitioner stands rejected.

8. However, the learned trial Court is directed to conclude the trial within a period of two months as submitted in his status report vide letter no. 129 of 2025 dated 18.02.2025 and the Superintendent of Police, Purnea is also directed to produce the witnesses in this case to conclude the trial as early as possible and consult with the trial Court so that the trial may be concluded within the stipulated period, and if the trial is not concluded within the stipulated period, then the petitioner may have liberty to renew his prayer for bail before the trial Court and the trial Court is directed to grant bail to the petitioner, if the petitioner co-operate in the trial.

**(Ramesh Chand Malviya, J)**

Anand Kr.

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