

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88444 of 2024

Arising Out of PS. Case No.-118 Year-2020 Thana- PATNA CITY CHOWK District- Patna

Sagar Yadav @ Vikash @ Thakur @ Sagar Kumar S/O Sunil Yadav Resident
of Marcha Road, P.S- Chowk, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is yet another attempt by the petitioner to obtain regular bail in connection with S. Tr. No.238 of 2023 arising out of Chowk P.S. Case No.118 of 2020 registered for the offences punishable under Sections 302, 387 and 120(B)/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Explosive Substances Act. He is in custody since 18.03.2020. The petitioner has got 12 criminal antecedents as stated in paragraph '3' of the application.

3. Earlier the prayer for regular bail of the petitioner was rejected by this Court vide order dated 05.05.2022 in Cr.Misc.No.63365 of 2021 after finding that some significant materials have come against him in course of investigation and



he has got 14 criminal antecedents. In paragraph '3' of the application, however, the petitioner has disclosed 12 criminal antecedents but there is no statement as to whether he is on bail in those cases.

4. On perusal of the order of the learned trial court, it appears that five prosecution witnesses were examined till the date of rejection of the prayer of the petitioner but all the five witnesses have turned hostile. The learned trial court has observed that the witnesses have turned hostile being afraid of the petitioner and in this case the deposition of main witnesses are yet to take place. It is also recorded that if released on bail, the petitioner is likely to threaten and influence the witnesses.

5. I have once again given consideration to the submissions on behalf of the petitioner for grant of bail particularly considering his period of incarceration but there are two factors which would prevail upon this Court in taking a view that this petitioner would not deserve privilege of bail at this stage. The first is the kind of his criminal antecedents as disclosed in paragraph '3' of the application without there being any disclosure as to whether he is on bail in those cases or not and secondly that some main witnesses of the case are yet to be examined and the learned trial court has clearly stated that the



petitioner if released on bail is likely to affect the prosecution evidence. The prayer is refused.

- 6. This application is dismissed at this stage.
- 7. Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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