

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88771 of 2024

Arising Out of PS. Case No.-351 Year-2023 Thana- PATNA CITY CHOWK District- Patna

Ravi Kumar S/O Vijay Kumar Yadav R/O Mohalla- Padri Ki Haveli, P.S-
Khajekalan, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-01-2025 Heard the learned counsel for the petitioner and the
learned APP for the State; Sri Jharkhandi Upadhyay.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected vide order dated
18.04.2024 passed in Cr. Misc. No. 12421 of 2021.

3. The petitioner seeks regular bail in a case registered
for the offence under Sections 302/34/120B of the Indian Penal
Code and under Section 27 of the Arms Act.

4. Pursuant to the order dated 08.01.2025, the SHO,
Patna City and the IO of the case has appeared.

5. Petitioner is one of the assailants of the deceased.
During investigation, he was identified in the CCTV footage
and charge sheet was submitted. In the trial, out of 11 witnesses,
altogether three witnesses have been examined.



6. Learned counsel for the petitioner has submitted that the eyewitnesses are not supporting the prosecution. Petitioner is in custody since 27.07.2023.

7. The learned APP for the State has submitted that some of the witnesses have not identified the petitioner in the trial, but there are other witnesses yet to be examined. He has been further relied upon a judgment of Hon’ble Supreme Court in the case of *X vs. State of Rajasthan, 2024 SCC OnLine SC 3539* by submitting that in an ongoing trial, the petitioner cannot be granted bail considering the deposition of some of the witnesses.

8. In these circumstances, I am not inclined to grant bail to the petitioner. Accordingly, this application for regular bail is hereby rejected.

9. The SHO and IO of the case are directed to provide all security to the remaining witnesses so that they do not face any threat and they depose correctly.

10. The personal appearance of the SHO, Panta City and IO of the case is dispensed with.

(Sandeep Kumar, J)

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