

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11286 of 2015

Arising Out of PS.Case No. -65 Year- 2013 Thana -BELCHHI District- PATNA

Sadhu Yadav, Son of Sukhdeo Prasad Yadav, Resident of village- Sadulli
Bigha, P.S.- Belchi, District- Patna Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 18-03-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Belchhi
P.S. Case No. 65 of 2013 registered for the offences punishable
under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by this Court on 21st July, 2014 in Cr. Misc. No 18572
of 2014. Within two months of the order of rejection of bail, the
petitioner renewed his prayer for bail before this Court and, once
again, his prayer for bail was rejected on 10th September, 2014
in Cr. Misc. No. 37389 of 2014. Thereafter, the petitioner moved
before Hon'ble the Supreme Court in Special Leave to Appeal
(Crl.) No. 292 of 2015 which was dismissed as withdrawn vide
order dated 19th January, 2015. Immediately, thereafter, the
petitioner has filed instant application before this Court for grant
of bail on 16th March, 2015.

Learned counsel for the petitioner has submitted that by now the petitioner has remained in custody for about 15 months and there is no likelihood of the trial being concluded in near future.

Be that as it may, for the reasons assigned in my order dated 21st July, 2014 in Cr. Misc. No. 18572 of 2014, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer for bail is rejected.

The learned Sub-divisional Judicial Magistrate, Barh, Patna is directed to hold the trial of the petitioner on day-to-day basis and conclude the same as early as possible preferably within six months from today failing which the petitioner would be at liberty to renew his prayer for bail before the Court below itself.

(Ashwani Kumar Singh, J.)

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