

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11899 of 2015

Arising Out of PS.Case No. -85 Year- 2014 Thana -SC/ST District- BHAGALPUR

=====

1. Kurkuri Yadav @ Amit Yadav son of Naresh Yadav, resident of Village - Gopalpur, Police Station - Industrial Area, Zeromile, Distt. - Bhagalpur.
2. Balmiki Yadav son of Naresh Yadav, resident of Village - Gopalpur, Police Station - Industrial Area, Zeromile, Distt. - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : None

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 26-05-2015

Heard learned counsel appearing on behalf of the petitioners. However, none appears on behalf of the State of Bihar.

The petitioners seek bail in a criminal prosecution originally registered under Section 307/34 and some other allied offences of the Indian Penal Code as also under Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act in which subsequently offence under Section 302 of the Indian Penal Code was also added.

Taking into consideration the fact that the petitioners are also said to be the assailants of the deceased and further taking into consideration the fact that the post mortem report supports the prosecution version, this Court is not inclined to accede to the prayer for bail made on behalf of the petitioners at this stage. Accordingly, their prayer for bail in connection with S.C./S.T. P.S.Case No. 85 of 2014 pending in the court of Chief Judicial Magistrate, Bhagalpur is rejected.

However, learned Chief Judicial Magistrate,

Bhagalpur, who is in seisin of the case, is directed to commit the case of the petitioners to the court of session, if not already committed and on such commitment, the trial of the petitioners shall be taken up on priority basis. However, if the trial of the petitioners is not concluded within nine months from the date of framing of charge, then the petitioners shall be at liberty to renew their prayer for bail.

(Birendra Prasad Verma, J)

Tahir/-

U		T	
---	--	---	--