

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22449 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -GOVINDPUR District- NAWADA

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Dhananjay Yadav @ Sadhu Yadav son of Jagdeo Yadav resident of village
- Harnarayanpur, P.S. Govindpur, Dist - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-09-2015

Heard both sides

The petitioner seeks bail in a case under Sections
302, 34 of the Indian Penal Code.

The mother of the deceased disclosed that when her son did not return, she went to her field to see her son but she saw that the petitioner and other accused persons were hanging her son in a Semal tree tying the neck of her son with a muffler. Sri Yogesh Chandra Verma, learned Senior Counsel for the petitioner, submits that the F.I.R. was lodged on 27.01.2015 but the same was received in the court of ACJM, Nawada on 30.01.2015. There is a delay of three days in lodging of the F.I.R. and, therefore, the F.I.R. is under cloud. It is further submitted that the story as disclosed by the informant is not worth believable.

It appears that the informant saw the petitioner while

he was hanging his son in a Semal tree. The son of the informant died on the spot.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Govindpur P.S. Case No. 5 of 2015. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt / production of this order. If the trial is not concluded within the above period without any fault of the petitioner, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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