

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22523 of 2015

Arising Out of PS.Case No. -37 Year- 2012 Thana -UPHARA District- AURANGABAD

Om Prakash Yadav S/o Baliram Yadav R/o Village Amari Tola Amarpur,
P.S. Uphara, District Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Dashrath Mehta (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 01-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with
Sessions Trial No. 31 of 2014 arising out of Uphara P.S. Case No.
37 of 2012 registered under sections 147, 148, 149, 323, 324, 307
and 302 of the I.P.C. pending in the Court of Additional Sessions
Judge-III, Aurangabad.

Learned counsel appearing on behalf of the petitioner
submits that prayer of the petitioner for bail was earlier rejected
twice vide Cr. Misc. Nos. 25863 of 2013 and 33969 of 2014 on
21.01.2014 and 27.08.2014 respectively by this Court on merit. It
is also submitted that petitioner is in custody since 16.10.2012.

Admittedly, the prayer of the petitioner for bail was

rejected by this Court on merit. The report, as received from the 3rd Additional Sessions Judge, Aurangabad vide Letter No. 79 dated 29.05.2015, shows that charges have been framed on 29.07.2013 and out of eight charge-sheet witnesses, three witnesses have already been examined and the trial is likely to be concluded within six months.

Having considered the facts and circumstances of the case and the nature of the allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, the application stands rejected.

However, trial Court is directed to take all effective steps for examination of rest witnesses, including the I.O. and Doctor and conclude the trial within the aforesaid period. If the trial is not concluded within the aforesaid period, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J.)

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