

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24115 of 2014

Arising Out of PS.Case No. -92 Year- 1989 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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Bhola Mukhiya Son of Ram Lakhan Mukhiya Resident of Village- Mohar
Chalar, P.S- Kusheshwar Asthan, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav

For the Opposite Party/s : Mr. Dinesh Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

04/ 08-01-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody
since 26.05.2010 in a case registered for the offences punishable
under Sections 341, 447, 323 and 302 of the Indian Penal Code.

The accusation is of making assault with
lathi by three accused persons including the petitioner when three
persons received injuries out of which Ghutar Mukhiya
succumbed to the injuries.

It is very fairly submitted by learned counsel
for the petitioner that out of 14 charge-sheeted witnesses, one
witness has already been examined.

Considering the nature of accusation, this

Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Since the case was instituted in the 1989, it is expected from learned Ad hoc Additional Sessions Judge-II, Benipur (Darbhanga) to conclude the trial of Sessions Trial No. 111 of 2011 arising out of Kusheshwar Asthan P.S. Case No. 92 of 1989 preferably within one year.

(Dinesh Kumar Singh, J)

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