

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38048 of 2015

Arising Out of PS.Case No. -57 Year- 2012 Thana -MOTIPUR District- MUZAFFARPUR

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Dinesh Rai, Son of Shiv Jee Rai, resident of Village-Sodha Jahangirpur,
P.S.-Motipur, District-Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 19-08-2015

The petitioner seeks bail in connection with Sessions Trial No. 471 of 2013 arising out of Motipur P.S. Case No. 57 of 2012 in which charge has been framed under Section 302 read with 34 of the Indian Penal Code.

According to the prosecution case, the petitioner assaulted with a bamboo stick indiscriminately upon the husband of the informant as a result of which, he died at the spot.

The prayer for bail of the petitioner was earlier rejected by this Court vide order dated 11.11.2014 passed in Cr. Misc. No. 40579 of 2014.

It is contended that till date only four out of the nine

charge-sheet witnesses could be examined on behalf of the prosecution during trial and there is no likelihood of the conclusion of trial in future.

Be that as it may, regard being had to the serious nature of allegation, I am not inclined to grant bail to the petitioner even though he is in custody since 06.06.2012. Accordingly, the prayer for bail is rejected.

The court below is directed to expedite the trial and conclude the same as early as possible, preferably within a period of one year from the date of receipt/production of a copy of the order failing which the petitioner would be at liberty to renew his prayer for bail before the trial court itself.

(Ashwani Kumar Singh, J.)

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