

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35141 of 2015**

Arising Out of PS.Case No. -402 Year- 2014 Thana -MADHUBANI TOWN District-  
MADHUBANI

=====

Radhe Kumar Yadav, Son of Bhuneshwar Yadav, Resident of village -  
Basuara, P.S. - Madhubani, District - Madhubani.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Arvind Kumar

For the Opposite Party : Mr. Braj Kishore Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      27-11-2015      Heard the counsel for the petitioner and counsel for the  
State.

The petitioner is languishing in jail since 20.10.2014 in  
a case instituted under Sections 302, 201 and 120(B) of the Indian  
Penal Code in connection with Town P.S.Case No.402 of  
2014/G.R.No.2887 of 2014 arising out of Sessions Trial No.133  
of 2015 pending in the Court of 3<sup>rd</sup> Additional Sessions Judge,  
Madhubani.

As per prosecution case, it is a case of murder of one  
Balram Yadav by the accused persons.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 20.10.2014. There is no  
allegation of tampering of evidence against the petitioner.

Petitioner has got no criminal antecedent. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner though the trial is in progress. As many as seven witnesses have been examined on behalf of the prosecution and they have been declared hostile. Some official witnesses are yet to be examined by the prosecution.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the above named petitioner, same is dismissed.

Anyhow, it is directed that the trial court shall take all necessary steps to conclude the trial within a period of three months from the of receipt/production of a copy of this order. The District Magistrate, Madhubani shall take all necessary steps to produce the official witnesses, i.e., the investigating officer, informant and the Chaukidar before the trial court so that the trial be concluded within the stipulated period of three months.

Let a copy of this order be communicated to the District Magistrate, Madhubani for strict compliance.

**(Sudhir Singh, J)**

B.Kr./-

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