

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16768 of 2013

Arising Out of PS.Case No. -65 Year- 2012 Thana -SAUR BAZAR District- SAHARSA

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Ashok Yadav S/O Sri Rambahadur Yadav Resident Of Village- Bishanpur,P.S-
Saur Bazar,D Istrict- Saharsa.

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 02-12-2015

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in Saur Bazar (Patharghat
O.P.) P.S. Case No. 65 of 2012 dated 17.03.2012 instituted under
Section 302, 120-B, 379 of the Indian Penal Code and Section 27 of
the Arms Act.

This is the second attempt of the petitioner for bail
in the present case as earlier his prayer for bail was rejected by order
dated 06.11.2012 in Criminal Misc. No. 39968 of 2012.

By order dated 07.10.2015 a report was called for
from the court below as to why the case has not been disposed off.
Pursuant to the same, a communication has been received in which it
has been stated that only the I.O. remains to be examined on behalf of

the prosecution for which letter has been sent to the D.I.G. and once that is done, the case will be disposed off quickly.

In view of the aforesaid, this Court is not inclined to grant bail to the petitioner as only the I.O. is to be examined on behalf of the prosecution. Accordingly, a direction is issued to the court below to ensure that the I.O. of the case is examined within two weeks.

The Superintendent of Police, Saharsa as well as the D.I.G. Kosi range are directed to ensure that the I.O. of the case is produced before the court below within the said period failing which the Court may initiate appropriate action.

Upon the I.O. being examined, the case shall be conducted on a day to day basis and disposed off without further delay.

The application stands disposed off in the aforementioned terms.

The Registry shall communicate the order to the court below, D.I.G. Kosi range and the Superintendent of Police, Saharsa by Fax also, latest by tomorrow.

(Ahsanuddin Amanullah, J)

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