

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37351 of 2014

Arising Out of PS.Case No. -56 Year- 2013 Thana -DHANGAI District- BHOJPUR

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Phagu @ Fagu Yadav Son of Sri Bansi Rai R/o Village Kutubpur Bangari,
P.S. Bidupur, District Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 06-02-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
18.09.2013 in a case registered for the offences punishable under
Sections 302 and 201/34 of the Indian Penal Code, 27 of the Arms
Act and 3(ii) (v) of SC/ST (Prevention of Atrocities) Act.

It is alleged that when the wife of the
informant went to ease out, she was followed by this petitioner
and Yuge Yadav. Subsequently on hearing the screaming of the
wife the informant went to the place of occurrence and found his
wife with firearm injury on the head. The petitioner was found
escaping with firearm in his hand.

It is submitted by learned counsel for the

petitioner co-accused Yuge Yadav has already been granted bail vide Cr. Misc. 52980 of 2013. It is very fairly submitted by learned counsel for the petitioner that five witnesses have already been examined, but the eye witnesses have not supported the accusation.

Considering the advance stage of the trial, this Court is not inclined to grant bail to the petitioner in connection with Sessions Trial No. 26 of 2014 arising out of Dhangai P.S. Case No. 56 of 2013 pending in the court of learned Special Judge, Bhojpur at Ara.

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

It is expected from the learned trial court to expedite the trial.

However, the petitioner will be at liberty to renew his prayer for bail, if the trial is not concluded within a period of six months.

(Dinesh Kumar Singh, J)

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