

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38287 of 2014

Arising Out of PS.Case No. -67 Year- 2013 Thana -BIHIYA District- BHOJPUR

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1. Rakesh Yadav Son of Sheo Kalam Yadav Resident of village- Charghat,
P.S.- Bihiya, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate.

For the Opposite Party/s : Mr. B.Ram (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-01-2015 Heard both sides.

The petitioner seeks bail in Sessions Trial No. 78 of 2014, arising out of Bihiya P.S. Case No. 67 of 2013, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant named four persons Rakesh Yadav, Dipu Yadav, Sadhu Yadav and Guput Yadav and alleged that he saw Rakesh Yadav and Dipu Yadav having country made pistols in their hands and another two persons were fleeing. The informant went near his father, his father also disclosed the name of all the four accused and said that they fired and the father of the informant died.

It is submitted that Dipu Yadav was granted bail on

the ground of juvenility. Guput Yadav and Sadhu Yadav have also been granted bail.

It appears that only two persons were armed with country made pistols, out of which Dipu Yadav has been enlarged on the ground of juvenility. The petitioner was also armed with pistol and he is said to have fired along with Dipu Yadav.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The petitioner is in jail since 13.04.2013, the trial court is directed to make all efforts for conclusion of the trial within nine months from the date of receipt/production of a copy of this order, if the trial is not concluded, the petitioner may renew his prayer for bail firstly before the court below.

(Prabhat Kumar Jha, J.)

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