

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43340 of 2015

Arising Out of PS.Case No. -19 Year- 2013 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. ARBIND KUMAR YADAV @ ARBIND KUMAR Son of Sukhram Rai
Resident of Village- Barwa Khurd, P.S Kudwachainpur ,District East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 09-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in Kundwachainpur P.S.
Case no.19 of 2013, S.T. No.1 of 2014 instituted for the
offences under Sections 302/34 of the Indian Penal Code.

Perused the report. The report of the court below
shows that out of eight witnesses, five witnesses have already
been examined.

Learned counsel for the petitioner submits that
prosecution filed an application to examine other witnesses
which has been rejected which is subject matter of challenge
before this Court and on that account the court below is not

proceeding with the matter.

Looking to the nature of allegation, this Court is not inclined to enlarge the petitioner on bail. Accordingly the prayer for bail is rejected. However, the court below may proceed with trial subject to the stay order, if any, passed by this Court.

(Shivaji Pandey, J)

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