

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45500 of 2015

Arising Out of PS.Case No. -20 Year- 2013 Thana -RAJAUN District- BANKA

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- 1. Jhunjhun Yadav @ Jhunjhun Choudhary
- 2. Laxman Yadav @ Laxman Choudhary @ Lakshman Choudhary
- 3. Tuntun Choudhary

All are sons of Sita Ram Choudhary, residents of Village - Mirjapur, P.S.- Barahat, District - Banka.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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With

Criminal Miscellaneous No.46097 of 2015

Arising Out of PS.Case No. -20 Year- 2013 Thana -RAJAUN District- BANKA

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Niranjan Choudhary, Son of Sita Ram Chaudhary, Resident of Village - Mirjapur, P.S. - Barahat, District - Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.45500 of 2015)

For the Petitioner/s : Mr. Satya Veer, Advocate

For the Opposite Party/s : Mr. Arvind Kr. Pandey, APP

(In Cr.Misc. No.46097 of 2015)

For the Petitioner/s : Mr. Satya Veer, Advocate

For the Opposite Party/s : Mr. Arvind Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 07-10-2015

In these two applications filed under Sections 439 and 440 of the Code of Criminal Procedure, the petitioners seek bail in connection with Sessions Trial No. 789/13 arising out of Rajoun P.S. Case No. 20 of 13 registered under Sections 147,

148, 149, 302, 120-B/34 of the Indian Penal Code and Section 27 of the Arms Act. Their prayer for bail was earlier rejected by this Court on merits vide order dated 20.03.2014 passed in Cr. Misc. No. 48668 of 2013.

It is contended that two other co-accused whose case is identically situated to that of the petitioners, namely, Subodh Yadav and Shambhu Yadav have already been granted bail by different Benches of this Court.

On query, it is fairly conceded that the trial is at an advanced stage and altogether ten witnesses have been examined during trial.

Regard being had to the facts and circumstances of the case, I am not inclined to grant bail to the petitioners. Accordingly, their prayer for bail is rejected.

The trial court is directed to hold the trial on day-to-day basis and conclude the same as early as possible, preferably within nine months from today, failing which the petitioners would be at liberty to renew their prayer for bail before the trial court itself.

(Ashwani Kumar Singh, J.)

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