

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40573 of 2015

Arising Out of PS.Case No. -386 Year- 2013 Thana -BIHPUR District- BHAGALPUR

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Ajit Yadav @ Ajeet Yadav Son of Triveni Yadav, Resident of Village -
Narayanpur, P.S. - Bihpur (Bhawanipur), District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-10-2015

Heard counsel for the petitioner.

No one appears on behalf of the State.

This is repeat application filed on behalf of the petitioner for grant of bail in connection with Bihpur P.S. Case No. 386 of 2013 (G.R.No.1442(A)/2013) registered under section 302/34 IPC and section 27 of the Arms Act.

Earlier, the petitioner moved this Court for bail vide Cr. Misc. No 48189 of 2014 which was considered and rejected by order dated 03.03.2015 observing that if the charges are not framed within eight months from the date of receipt/production of a copy of the order, the petitioner shall be at liberty to renew his prayer for bail. Indisputably, the charges have been framed within the aforesaid time on 05.05.2015. However, the petitioner again

renewed his prayer for bail in the court below which was considered and rejected by order dated 01.08.2015.

Counsel for the petitioner once again draws attention of the Court on merit of this case and submits that for one murder two FIRs have been lodged with different date and time. In the first FIR the petitioner is not named, whereas in the second FIR, which was lodged subsequently, he has been named as the main assailant, although he had no enmity with the deceased.

Be that as it may, since the case of the petitioner has been considered and rejected on merit and charges have already been framed, this Court is not inclined to direct release of the petitioner. His prayer is rejected.

However, considering the fact that the petitioner continues to incarcerate since 05.12.2013, a liberty is granted to him to renew his prayer for bail if the trial does not conclude within 10 months from the date of receipt/production of a copy of this order.

(Kishore Kumar Mandal, J)

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