

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13749 of 2015

Arising Out of PS.Case No. -10 Year- 2009 Thana -KASMA District- AURANGABAD

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1. Rajesh Yadav S/o Brija Yadav R/o Village - Tetariya, P.S. - Kasma,
District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 26-06-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The prayer for bail of the petitioner was thrice
rejected by a Bench of this court and this fourth bail petition has
been filed on behalf of the petitioner on the ground that he is in
jail custody since 28.04.2012 but up till now, only three
prosecution witnesses could be examined as it is evident from
perusal of report of learned trial court.

It appears that the trial of other accused proceeded
and came at fag end but petitioner could not be apprehended.
Subsequently, he was put on trial in a separate sessions case.

Moreover, taking note of the aforesaid facts as well
as nature of allegation levelled against the petitioner, I am not

inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 303 B of 2009/45 of 2012 arising out of Kasma P.S. Case No. 10 of 2009 pending in the court of Ad hoc Additional Sessions Judge-IV, Aurangabad is again rejected.

However, it is made clear that if the trial of the petitioner is not concluded within a period of six months from the date of receipt/production of copy of this order, the petitioner may renew his prayer for bail before the learned trial court itself.

Let a copy of this order be sent to Superintendent of Police, Aurangabad with direction to him to ensure the presence of remaining prosecution witnesses of above stated Sessions Trial No. 303 B of 2009/45 of 2012 arising out of Kasma P.S. Case No. 10 of 2009 before the concerned court within three months so that the trial court could conclude the trial of the petitioner within the period as fixed by this Court.

(Hemant Kumar Srivastava, J)

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