

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47674 of 2014

Arising Out of PS.Case No. -45 Year- 2010 Thana -DULHIN BAZAR District- PATNA

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Nokhlal Yadav son of Late Laldeo Yadav, Resident of Village- Gulalchak,
Police Station- Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar, Advocate

For the Opposite Party/s : Mr. L.K.Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

4 04-02-2015 This is the sixth attempt by the petitioner to get bail in connection with Sessions Trial No.131 of 2012 arising out of Dulhin Bazar P.S. Case No.45 of 2010 registered for the offences punishable under section 302 read with 34 of the Indian Penal Code as well as section 27 of the arms Act.

Earlier also his applications for bail were rejected by this Court on merit. The prayer for bail has been renewed on the ground that despite direction of this Court, the prosecution is not vigilant and the witnesses are not appearing in the court.

Learned counsel for the petitioner has submitted that though the petitioner is in custody since 22.4.2010 but till date only four out of eleven witnesses have been examined and there is no likelihood of conclusion of the trial in near future.

Regard being had to the fact that the petitioner is main assailant of the deceased, I am not inclined to grant him bail for the present. Accordingly, the prayer for bail is rejected.

The learned Sessions Judge-V, Patna is directed to conclude the trial of the petitioner as early as possible preferably within one year from the date of receipt/production of a copy of this order failing which the petitioner would be at liberty to renew his prayer for bail in the court below itself. In that eventuality, the court below shall be obliged to pass a reasoned order stating therein as to why the trial of the petitioner could not be completed within the stipulated period of one year.

(Ashwani Kumar Singh, J)

Md.S./-

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