

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41886 of 2015

Arising Out of PS.Case No. -106 Year- 2013 Thana -MADANPURA District- AURANGABAD

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1. Amresh Bhuiya @ Amresh Bhuiyan, son of Si Ram Chandra Bhuiyan.
 2. Dhananjay Bhuiya, @ Dhananjay Bhuiyan @ Dhanajay Bhuiyan, son of Sri Kripal Bhuiyan,
 3. Kamesh Bhuiya @ Kamesh Bhuiyan, son of Late Moti Bhuiyan. All are resident of Village- Badam, P.S.- Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-10-2015 Heard learned counsel for the petitioners and Mr. Narsingh Tanti learned APP for the State.

This is repeat application filed on behalf of the petitioners for bail in Madanpur P.S. Case No. 106 of 2013 registered under section 364/34 IPC.

Earlier, petitioners moved this Court for bail in two applications vide Cr. Misc. No. 18155 of 2014 and Cr. Misc. No. 21816 of 2014 which were considered and rejected by a common order dated 24.09.2014 (Annexure-1). However, considering their incarceration liberty was granted to them to renew their prayer for bail after 07 months if the trial does not

record satisfactory progress/headway. From the impugned order dated 08.05.2015, it appears that the trial has commenced inasmuch as few witnesses on behalf of the prosecution have been examined.

Counsel for the petitioners states that only three witnesses have been examined out of 15 cited in the charge-sheet. The petitioners are in custody since 03.07.2013.

Considering the fact that the trial has already commenced, this Court while declining the relief, disposes of the application by the following order:-

Let the trial court endeavour to examine the remaining prosecution witnesses within six months from the date of receipt/production of a copy of this order failing which the petitioners shall have liberty to renew their prayer for bail in the court below itself.

(Kishore Kumar Mandal, J)

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