

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23608 of 2016

Arising Out of PS.Case No. -209 Year- 2013 Thana -AGAMKUAN District- PATNA

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Rajesh Yadav @ Rajesh Singh @ Rajesh Kumar S/o Sri Sachidanand Prasad @ Sachidanand Yadav, R/o Rikabganj, P.S. Malsalami, Distt. - Patna At Present - Dharamkata Ke Samne Deedarganj, P.S. Deedarganj, Distt. – Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar

For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 29-06-2016

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is an accused in connection with Agamkuan P.S. Case No. 209 of 2013, registered under Sections 302, 120B/34 of Indian Penal Code and Section 27 of the Arms Act, pending in the Court of Addl. Sessions Judge-III, Patna.

Admittedly, the prayer for bail of the petitioner was rejected earlier twice vide Criminal Miscellaneous No. 41567 of 2013 dated 27.01.2014 and Criminal Miscellaneous No. 45021 of 2014 dated 17.12.2014, respectively.

Learned counsel appearing on behalf of the petitioners submits that in course of investigation it has only come that after one month, the purse and ATM card of the deceased was found in the vehicle of the petitioner, while the brother-in-law of the deceased has

been examined as P.W.7, who has stated that when he reached at the place of occurrence the purse and ATM card were recovered with the deceased. Further submission is that up till now only nine witnesses have been examined in this case and cross-examination of P.W.10 Sunil Kumar Singh is fixed today itself.

On the other hand, learned counsel for the informant submits that out of 26 Chargesheet witness, 09 witnesses have been examined and evidence of P.W.10 is going on.

Having considered the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner for bail is rejected.

However, trial Court is directed to conclude the trial of the petitioner within six months by taking all steps. If the trial of the petitioner is not concluded within the aforesaid period, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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