

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 18001 of 2015

Arising Out of PS.Case No. -140 Year- 2013 Thana -GOH District- AURANGABAD

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Anil Yadav, Son of Late Reghuni Yadav, Resident of village- Bijhari, P.S.- Konch,
district-n Gaya, Bihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 20-04-2016

Heard learned counsel for the parties.

The petitioner seeks bail in Goh P.S. Case No.
140 of 2013 dated 18.07.2013 instituted under Sections
302/307/379/427/435/326/353/324/147/148/149 of the
Indian Penal Code, 17 of The Criminal Law (Amendment) Act,
10 of The Unlawful Activities (Prevention) Act, 1967 and
16/17/18/19/20 of the Explosive Substances Act.

This is the second attempt of the petitioner for
bail as earlier such prayer was rejected by order dated
24.09.2014 in Cr. Misc. No. 29930 of 2014.

Learned counsel for the petitioner has
submitted that he is not named in the F.I.R. and only later, on
the confessional statement of co-accused, he has been
implicated.

Learned A.P.P. opposes the prayer for bail and submits that on 24.09.2014, the Court had recorded the submissions made by him that it was a case where 250-300 persons had taken part in the operation against the police where besides loot of huge quantity of arms, the police side faced casualties and also the petitioner has been named by the co-accused, and thus, the prayer for bail was rejected.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties and taking into account the fact that nothing of consequence has happened in the intervening period, the Court is not inclined to enlarge the petitioner on bail. However, before parting with the order, as earlier a report was called for from the Court below with regard to the status of the case and likely time by which the trial can be concluded, a report has been submitted by the 1st Additional Sessions judge, Aurangabad dated 1st February, 2016 in which it has been stated that the trial is expected to be concluded within one year.

In view of the aforesaid, the Court below is directed to expedite the trial and conclude the same by 31st December, 2016 positively by taking recourse to all powers available to it under law to ensure that no party is able to unnecessary delay the trial. For the said purpose, the Superintendent of Police, Aurangabad is also directed to ensure that the witnesses are produced before the Court on the dates

so fixed and the Court shall also ensure that short dates are fixed in the case.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	