

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22301 of 2016

Arising Out of PS.Case No. -182 Year- 2009 Thana -PARWATTA District- KHAGARIA

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1. SHIVA YADAV Son of Bhogi Yadav resident of Village- Baisa, PS
parbatta (Maraiya) District Khagaria. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. A.Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 11-07-2016

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

The petitioner seeks bail in connection with Parbatta
(Maraiya) P.S. Case No. 182 of 2009 registered for the offences
punishable under Sections 307, 379 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner was earlier granted bail in this case but
thereafter, on the application of the State of Bihar through
Superintendent of Police, Khagaria the bail granted to the
petitioner was cancelled vide order dated 16.09.2014 passed in Cr.
Misc. No. 53104 of 2013 as the petitioner is involved in 13 more
cases of serious nature and further the petitioner was found main
assailant in Gogari P.S. Case No. 94 of 2013 registered for the
offences under Sections 364, 302, 120B/34 of the Indian Penal
Code and Section 27 of the Arms Act. Thereafter, the petitioner is

in custody since 17.11.2014.

Submission is that now there is no chance of tampering with prosecution evidence and as such he deserves sympathetic consideration and in near future trial is not likely to be concluded to which the learned APP opposes.

In the facts and circumstances stated above, at present, finding no good ground for reconsideration of prayer for bail of the petitioner, his prayer for bail stands rejected.

However, let the trial be expedited and concluded as early as possible, preferably within nine months from the date of receipt/production of a copy of this order, failing which, the petitioner, if at no fault, may renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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