

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52963 of 2015

Arising Out of PS.Case No. -106 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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1. Lalu Yadav @ Lallu Yadav Son of Resho Yadav @ Rasiklal Yadav,
Resident of Village - Fulkiya P.S. - Ismailpur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 08-02-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner seeks bail in Sessions Trial No. 82 of 2015 arising out of Gopalpur P.S. Case No. 106 of 2014 registered for the offence punishable under Section 365 of the Indian Penal Code.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 04.03.2015 passed in Cr. Misc. No. 43381 of 2014, on the ground that the petitioner is in custody since 27.03.2014, co-accused Sunil Sharma has been allowed bail vide Cr. Misc. No. 21246 of 2015 and in near future the trial is not likely to be concluded to which learned APP opposes by submitting that from perusal of impugned order dated 28.09.2015 it appears that up till now no prosecution witness has been examined.

In the facts and circumstances stated above, considering that the name of the petitioner was taken by the victim and as such, at this stage, this Court is not inclined to reconsider the prayer of bail of the petitioner, accordingly, his such prayer stands rejected.

However, the Trial Judge is directed to expedite the trial and conclude the same as early as possible, preferably within six months after taking the same on day to day basis and by taking all positive steps to secure the attendance of the witnesses, failing which the petitioner may be at liberty to renew his prayer for bail if he will be at no fault.

(Jitendra Mohan Sharma, J)

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