

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28898 of 2016

Arising Out of PS.Case No. -65 Year- 2008 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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Indradeo Thakur son of Yogi Thakur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 31-08-2016

Heard.

Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 14.12.2015 passed in Cr. Misc. No. 33034 of 2015 but petitioner is in jail custody since 08.10.2013 and up till now, out of 18 prosecution witnesses, only eight prosecution witnesses could be examined which it is evident from perusal of the report of the Additional Sessions Judge 9th, East Champaran, Motihari.

Submission on behalf of the petitioner is that having more or less, similar allegation, co-accused Ram Babu Prasad and some others have already been granted privilege of bail. It is further submitted on behalf of the petitioner that petitioner is said to have participated in the alleged crime but no specific overt act has been attributed against the petitioner.

Considering the aforesaid facts and circumstances of the case and also taking note of this fact that petitioner carries criminal antecedent of five cases of similar nature and, again, I am not inclined to release the petitioner on bail and, accordingly, his prayer for bail in connection with Session trial no. 404 of 2014 arising out of Rajepur P.S.Case No. 65 of 2008, pending in the court of 9th Additional Sessions Judge, Motihari, East Champaran stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within six months from the date of receipt/ production of a copy of this order, failing which petitioner may renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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