

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22109 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -GHANSHYAMPUR District- -

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1. Om Prakash Yadav Son of Suraj Narayan Yadav, Resident of Village-Navtol, P.S.- Phulparas, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 31-08-2016

Heard.

The trial court has reported that Superintendent of Sub-Jail, Benipur, did not produce the petitioner before the trial court though production warrant has already been issued to the Superintendent of Sub-Jail, Benipur. The report of trial court goes to show that up till now, charge could not be framed against the petitioner.

Learned counsel for the petitioner submits that almost all other co-accused, having more or less similar allegation, have already been granted privilege of bail whereas petitioner is in jail custody since 11.04.2015.

Considering the aforesaid facts and circumstances as well as submission of the parties, again, I am not inclined to

release the petitioner on bail on the ground mentioned by me in my previous order dated 22.09.2015 passed in Cr. Misc. No. 43936 of 2015. Accordingly, his prayer for bail in connection with Session trial no. 307 of 2015, arising out of Ghanshyampur P.S.Case No. 69 of 2015, pending in the court of Additional Session Judge-II, Benipur, Darbhanga, stands rejected.

However, if the trial of the petitioner is not concluded within six months from the date of receipt/ production of a copy of this order, the petitioner may renew his prayer for bail before the trial court itself.

It is also made clear that if the petitioner is not produced before the trial court by the Jail authorities, the concerned court shall take steps against the jail authorities in accordance with law.

(Hemant Kumar Srivastava, J)

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