

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32035 of 2015

Arising Out of PS.Case No. -92 Year- 2013 Thana -LAUKAHI District- MADHUBANI

=====

Shankar Yadav S/o Sri Bansi Yadav Resident of Village Phulparas, P.S. Phulparas,
District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. D. K. Singh, Sr, Advocate

For the Opposite Party/s : Mr. Manish Kumar No. 13,
Mr. J. K. Bharti, Advocates.

For the State : Mr. Arif, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 02-09-2016

Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in Laukahi P.S. Case No.
92 of 2013 dated 31.08.2013 instituted under Sections
363/364/34 of the Indian Penal Code.

This is the second attempt of the petitioner for bail
in connection with Laukahi P.S. Case No. 92 of 2013 as earlier
such prayer was rejected by order dated 22.07.2014 in Cr. Misc.
No. 27809 of 2014. However, the Court below was directed to
expedite the trial and conclude the same within nine months.

Learned counsel for the petitioner submits that
only on suspicion, the petitioner has been made accused in the
present case and till date, no other material exists. He further
submits that various co-accused have been granted bail either by
the Court below or by the Co-ordinate Benches of this Court.

Learned A.P.P. submits that from the confessional statement it is apparent that the role assigned to the petitioner is plausible and described in detail.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find any fresh ground made out for granting bail to the petitioner. The plea that only on suspicion he has been made accused, was available and taken by the petitioner when the prayer for bail was rejected on 22.07.2014 in Cr. Misc. No. 27809 of 2014.

Accordingly, the prayer for grant of bail to the petitioner stands rejected.

As earlier the Court below was directed to expedite the trial and conclude the same within nine months, which has not been done, the Court directs the Court below to ensure that the trial is concluded within six months positively, failing which the Court may take a strict view and appropriate action in the matter.

The order be communicated to the Court below through Fax also latest by 05th September, 2016.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A