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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43791 of 2016

Arising out of PS.Case No. -83 Year- 2003 Thana -HASANPUR District- SAMASTIPUR

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Sushil Mahto, son of Shivjee Mahto, resident of village- Fuhiya, Police Station- Bithan, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Rabindra Kumar Priyadarshi, Advocvate.
Mr. Gajendra Kumar Singh, Advocate.
For the State : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 23-11-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In the present application preferred under Sections 439 and 440 of the Code of Criminal Procedure, the petitioner has prayed for bail in connection with Sessions Trial No. 835 of 2006 arising out of Hasanpur (Bithan) P.S. Case No. 83 of 2003 for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

By order dated 26.10.2016, an explanation was called for from the learned Additional Sessions Judge, Rosera, Samastipur, as to why the order dated 14.12.2015 passed by this Court was not complied with pursuant to which, an explanation

has been submitted by the learned Additional Sessions Judge, Rosera, Samastipur, vide letter No.285 of 2016 dated 15.11.2016. In the said explanation, it has been stated that the trial of the case was conducted on priority basis and the Judgment has already been delivered on 14th November, 2016.

In view of the explanation submitted by the trial court, the application is dismissed as infructuous.

(Ashwani Kumar Singh, J)

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