

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7535 of 2016

Arising Out of PS.Case No. -153 Year- 2013 Thana -DHAMDHAHA District- PURNIA

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Mangal Yadav son of Bitto Yadav, resident of village - Dhamdaha,
(Madhya), Police Station - Dhamdaha, District - Purnia

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 18-02-2016 By way of the present application under sections 439 and 440 of the Code of Criminal Procedure, the petitioner has prayed for bail in connection with Sessions Trial No.531 of 2014 arising out of Dhamdaha P.S. Case No.153 of 2013 registered under sections 363, 366, 379, 376 and 120B of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected by this Court on merits by order dated 24.9.2014 passed in Cr. Misc. No.30994 of 2014 directing the trial court to hold the trial on day-to-day basis and conclude the same as early as possible preferably within one year from the date of receipt/production of a copy of this order failing which the petitioner was granted liberty to renew his prayer for bail in the court below itself.

It is contended that the appellant is in custody since 29.1.2014 and till date the trial has not concluded.

On the other hand, learned counsel for the State has contended that from the order impugned itself it would appear that all the witnesses on behalf of the prosecution have been examined and the prosecution case was closed on 8.6.2015 and since then the petitioner is taking adjournments on one ground or another before the court below. He has further contended that presently the case is fixed for argument and at this stage it would not be proper to enlarge the petitioner on bail.

Regard being had to the gravity of the offence, nature of allegation made against the petitioner and the stage of the trial, I am not inclined to grant bail to the petitioner. According, his prayer for bail is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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