

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8145 of 2016

Arising Out of PS.Case No. -36 Year- 2014 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Lal Bahadur Mukhiya, son of Late Madhusudan Mukhiya, resident of
Village- Kharkatwa, P.S.- Palanwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 31-08-2016

Heard both sides.

The petitioner seeks bail in Ramgarhwa P.S.

Case No. 36 of 2014 registered for the offence punishable under
sections 302, 201/34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier
rejected by this Court by order dated 15.04.2015 vide Criminal
Misc. No. 2953 of 2015 with a direction to the trial court to
expedite the trial and conclude the same within nine months. If
the trial is not concluded within the stipulated period, the
petitioner may renew his prayer for bail firstly in the trial court.

The trial of the petitioner has not yet concluded.

The petitioner has moved the trial court on 01.02.2016 but the

trial court has not stated any reason for not concluding the trial. A report was called for and it appears that on flimsy ground the trial court has not made any effort for disposal of the trial, although the case was committed to the court of Session much earlier and till now only one witness has been examined.

It is submitted that similarly situated co-accused Manoj Mukhiya has been granted bail vide order dated 22.01.2016 passed in Criminal Misc. No. 1901 of 2016 by a coordinate Bench of this Court.

Considering the facts and circumstances of the case and that the case of the petitioner stands on the same footing as that of Manoj Mukhiya and the trial has not yet been concluded, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XIII, East Champaran at Motihari in connection with Sessions Trial No. 211 of 2015 arising out of Ramgarhwa P.S. Case no. 36 of 2014.

(Prabhat Kumar Jha, J)

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