

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 43163 of 2015

Arising Out of PS.Case No. -2 Year- 2006 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Surendra Yadav son of Late Kuber Yadav, resident of village- Kuruwasat, P.S.
Adhaura, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 08-03-2017

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

The petitioner seeks bail in Chainpur P.S. Case No. 2 of
2006 dated 03.01.2006 instituted under Sections 302/34/120B of the
Indian Penal Code.

This is the second attempt of the petitioner for bail as
earlier such prayer was rejected by order dated 18.09.2014 passed in
Cr. Misc. No. 7843 of 2014 with a direction to expedite the trial and
conclude the same within nine months. The same not having been
done, a report was called from the Court below. The report discloses
that the petitioner escaped from jail earlier, resulting in bifurcation of



the trial and when the petitioner was apprehended in another case, he was brought before the Court and the trial had begun. However, the same is not proceeding due to the fact that earlier the petitioner was sent for production before the F.T.C.-I, Sonbhadra in the state of U.P. and despite letters being sent to the Jail Superintendent, he has not been produced in the present case. It has further been stated by the Trial Court that upon the petitioner being produced and the parties cooperating, the trial would be concluded within one month.

In view thereof, the Court is not inclined to grant bail to the petitioner.

Accordingly, the application stands dismissed.

However, the Court below is directed to ensure that upon production of the petitioner, the trial is concluded positively within three months.

Registry shall communicate the order to the Court below through Fax also latest by tomorrow.

(Ahsanuddin Amanullah, J)

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