

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51631 of 2015

Arising out of PS.Case No. -69 Year- 2014 Thana -BISHWAMBHARPUR District- GOPALGANJ
=====

Sugriv Yadav, S/o Late Harilal Yadav, resident of village - Tola Sipaya,
P.S. Bishambharpur, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mrs. Soni Srivastava, Advocate.
For the Opposite Party : Mrs. Indu Kumari Srivastava (App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 30-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 19.08.2014
in connection with Bishambharpur P.S. Case No. 69 of 2014 for
the offences instituted under Sections 302/34, 120(B), 504 of the
IPC and 27 of the Arms Act.

There is direct allegation of causing fire arm injury upon
the son of the informant by which he succumbed to injury.

The earlier bail application of the petitioner was rejected
vide Annexure-1 to the present application. This is second attempt
on behalf of the petitioner for grant of bail.

It has been pointed out by learned counsel for the
petitioner that the first charge sheet has been submitted in the



present case. The petitioner was sent up for trial and cognizance was also taken and the investigation was kept pending as far as the other co-accused is concerned. Later on, when second charge sheet was submitted, the Investigating Officer found the case false against the petitioner and had recommended for final form against the petitioner. But since the cognizance had already been taken against the petitioner, the case proceeded. The charge has already framed in the case on 11.08.2016.

A report was called for regarding the stage of the case from the court below. It has been reported that within a period of three months, the trial will be concluded provided the accused co-operate in the trial.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Bishambharpur P.S. Case No. 69 of 2014, pending in the court of the learned C.J.M. Gopalganj. The court below is directed to take all necessary steps to conclude the trial preferably within a period of five months on day to day basis from the date of receipt/production of copy of the order.

The District Magistrate, Gopalganj, and the Superintendent of Police, Gopalganj, are also directed to produce the prosecution witnesses on the date fixed by the court below so

that the trial could be concluded within the stipulated period as indicated above.

Let a copy of this order be communicated to the District Magistrate, Gopalganj, and the Superintendent of Police, Gopalganj.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--