

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36060 of 2016

Arising Out of PS.Case No. -1670 Year- 2001 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Prakash Yadav, son of Babulal Yadav, resident of village - Bharkhal,
P.S. Routara, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar,
2. Surti Kumari, wife of Somaru Rishi, resident of village - Bharkhal, P.S.
Routara, District - Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Sri Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2/ 08-09-2016

This is an application, made under Section 439 &
440 of the Code of Criminal Procedure, seeking bail for the
accused-petitioner, namely, Prakash Yadav, in connection with
C.A. Case No.1670 of 2001, under Sections 376/34 of the
Indian Penal Code pending in the Court of Judicial Magistrate,
1st class, Katihar.

Perused the above application and materials on
record.

Heard Mr. Md. Musowir, learned Counsel for the
petitioner, and Mr. Chandra Bhushan Prasad, learned
Additional Public Prosecutor, appearing on behalf of the State.

Having regard to the nature of incriminating

materials available on record coupled with the fact that the accused-petitioner absconded for a long time and his case was separated from the other co-accused, this Court is of the view that the accused-petitioner, above-named, can not be allowed to go on bail.

In view of the above and in the interest of justice, the prayer for bail is hereby rejected.

While rejecting the prayer for bail, learned Judicial Magistrate, 1st class, Katihar, is hereby directed to expedite the commitment of C.A. Case No.1670 of 2001, and, thereafter, the trial Court shall try to dispose of the case expeditiously.

(I.A. Ansari,CJ)

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