

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38799 of 2016**

Arising Out of PS.Case No. -92 Year- 2015 Thana -DUMRIAGHAT District-  
EASTCHAMPARAN(MOTIHARI)

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Pradeep Yadav son of Lalan Yadav, resident of village- Belbanwa, P.S.-  
Jogbani, District- West Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate  
: Mr. Lakshmi Kant Sharma, Advocate  
For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      05-10-2016                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner has renewed his prayer for bail in connection with Sessions Trial No.317 of 2016 arising out of Dumariya Ghat P.S. Case No.92 of 2015 registered under Sections 395 and 412 of the Indian Penal Code. His prayer for bail was earlier rejected by this Court vide order dated 5.2.2016 passed in Cr. Misc. No.52904 of 2015.

It has been contended by the learned counsel for the petitioner that similarly circumstanced co-accused Hari Narayan Yadav, Ranjit Kumar Mahto, Sarwan Yadav, Suresh Prasad and Sunil Kumar have already been granted bail by different orders

passed by the different Benches of this Court. He has submitted that the petitioner is in custody since 2<sup>nd</sup> September, 2015 and the charges are yet to be framed.

On the other hand, learned counsel for the State has submitted that in course of investigation on the basis of disclosure made by the petitioner looted potato bags were recovered from the house of the co-accused persons.

Regard being had to the submissions made on behalf of the parties, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer for bail is rejected.

The trial court is directed to frame charges against the petitioner forthwith. The prosecution is also directed to produce all its witnesses without any delay.

If the trial is not concluded within nine months from the dated of framing of charges, the petitioner would be at liberty to renew his prayer for bail before the trial court itself.

**(Ashwani Kumar Singh, J)**

Md.S./-

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