

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51919 of 2014

Arising Out of PS.Case No. -47 Year- 2010 Thana -ARA MUFFSIL District- BHOJPUR

Sukhari Yadav Son of Late Chhate Yadav resident of village - Bagha Kol
Tetariya, P.S. Ara Muffasil, District - Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Surj Bansh Roy, Advocate

For the Opposite Party : Mr. Rajendra Pd.Nat, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 22-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with **Sessions
Trial No.209 of 2013** arising out of **Ara Muffasil P.S.Case No.47
of 2010** pending in the Court of **Additional Sessions Judge-I,
Bhojpur at Ara** registered for an offence under Sections 302,
147, 149 and 307 of the IPC and Section 27 of the Arms Act.

As per the allegation, it is alleged by the informant that
petitioner had fired upon her causing injury as a result of which,
she succumbed to the injuries in course of treatment.

This is the second attempt on behalf of the petitioner for
grant of regular bail. The earlier bail application of the petitioner
was rejected vide Cr.Misc.No.28580 of 2013 dated 25.03.2014.

Petitioner is in custody since 29.12.2012. He has falsely been implicated in the present case due to previous enmity. Both the parties are agnates and there is admitted property dispute between the parties and one of the deceased was a notorious criminals.

On behalf of the State, it is submitted that the petitioner is named in the FIR and three persons are said to have died in the incident. Petitioner is also one of the assailants who caused death to the informant, namely, Sarita Devi.

A report was called for by the trial Court, the same is kept at flag-‘A’. It has been reported that five prosecution witnesses have already been examined and against the rest of the chargesheet witnesses, processes have already been issued. The D.O. letter has also been sent to the Superintendent of Police, Bhojpur at Ara to ensure the appearance of the witnesses on the date fixed by the trial Court.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the above named petitioner, the same is rejected.

Anyhow, the trial Court is directed to conclude the trial preferably within a period nine months from the date of receipt/production of a copy of this order.

The Superintendent of Police, Bhojpur at Ara is also

directed to ensure the production of the witnesses in the Court on the date fixed by the trial Court.

Let a copy of this order be sent to the Superintendent of Police, Bhojpur at Ara to ensure compliance of this order within the stipulated period.

(Sudhir Singh, J)

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