

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14474 of 2016

Arising Out of PS.Case No. -124 Year- 2013 Thana -SHIWAPATHI District- MUZAFFARPUR

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Ashok Prasad S/o Late Deep Lal Bhagat, r/o Vill.- Raghai, P.S.- Shivai
Patti, Distt.- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. D.P.Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 04-05-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner has renewed his application for grant of bail in connection with S. Trial No. 847 of 2014, arising out of Shiva Patti P. S. case No. 124 of 2013 registered *inter alia* under Section 302 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected by this Court vide order dated 24.07.2014.

It has been contended by the learned counsel for the petitioner that though the petitioner is in custody since 4th December, 2013, the trial has not been concluded. The witnesses on behalf of the prosecution have not been examined

and there is no likelihood of conclusion of trial in near future.

A report regarding the present stage of trial has been called for from the trial court vide order dated 06.04.2016. The learned 9th Additional Sessions Judge, Muzaffarpur has submitted his report in compliance of the aforesaid order dated 06.04.2016 which would indicate that all the independent witnesses have already been examined during trial and only the doctor and the investigating officer of the case are left to be examined.

Regard being had to the direct and specific allegation made against the petitioner that he was one of the assailants of the deceased as also the stage of trial, I am not inclined to grant him bail. Accordingly, the application for grant of bail is rejected.

(Ashwani Kumar Singh, J.)

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