

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30114 of 2016

Arising Out of PS.Case No. -35 Year- 2014 Thana -KHUDWAN District- AURANGABAD

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1. Suryadev Singh @ Surajdeo Yadav Son of Late Vishun Singh resident of
 Village- Bharatpur, P.S. - Kudwan, District: Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 17.10.2016 Supplementary affidavit is filed on behalf of the petitioner.

Let it be kept on record.

Heard learned counsel for the petitioner as well as learned
 Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 302
 and other minor sections of the Indian Penal Code.

Petitioner is said to have assaulted the deceased by brick
 causing injury on his head. The post mortem report, prima facie,
 corroborates the allegation.

Submission on behalf of the petitioner is that the petitioner
 is in jail custody for more than one and half year and having more or
 less similar allegation one co-accused Madheshwar Singh has already
 been granted privilege of bail.

The learned trial court has reported that trial of the
 petitioner has already commenced and up till now, four prosecution

witnesses have already been examined.

Considering the nature of the allegation levelled against the petitioner as well as present stage of the case, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Sessions Trial no. 253 of 2015/ 65 of 2015 arising out of Kudwan P.S. Case no. 35/2014 pending in the court of Addl. Sessions Judge III, Aurangabad stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within six months from the date of receipt/production of a copy of this order, failing which the petitioner may renew his prayer for bail before the trial court itself.

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(Hemant Kumar Srivastava,J)

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