

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38511 of 2015

Arising Out of PS.Case No. -165 Year- 2013 Thana -GURUA District- GAYA

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Avinash Prasad son of Shatrudhan Prasad @ Shatrughan Sharan Prasad
Resident of Village- Dubba, Police Station- Gurua, District Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Jagadish Prasad son of late Mahabir Prasad Resident of Village- Dubba,
Police Station- Gurua, District Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Abhay Kumar Thakur, Advocate

For the Opposite Parties : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 02-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is in custody in connection with **Sessions Trial No. 132 of 2015** arising out of **Gurua P.S.Case No.165 of 2013** pending in the Court of 7th **Additional Sessions Judge, Gaya** registered for an offence under Sections 341, 323, 324, 302 and 504 of the IPC.

The earlier bail application of the petitioner was rejected vide Cr.Mics.No.24259 of 2014 dated 23.09.2014. This is the second attempt for grant of regular bail on behalf of the petitioner.

A report was called for from the trial Court, the same is kept at flag-‘O’. It has been reported that four witnesses out of

seven witnesses have already been examined. Only three witnesses are to be examined, i.e., the informant, I.O. and the doctor. It has been submitted on behalf of the petitioner that the informant of the present case has died in course of treatment.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the fact that there is main allegation against this petitioner, I am not inclined to grant bail to the petitioner, the same is rejected.

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

The Superintendent of Police, Gaya is directed to ensure the production of the I.O. and the doctor on the date fixed by the trial Court.

Let a copy of this order be sent to the Superintendent of Police, Gaya.

(Sudhir Singh, J)

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