

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9202 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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Kamlesh Rai @ Kamlesh Kumar Rai Son of late Uma Shankar Rai @
Jham Lal Rai Resident of Village- Dawan P.S. Jagdishpur District Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abdul Hakim, Advocate.

For the Opposite Party : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-07-2016 Heard both sides.

The petitioner seeks bail in Charpokhari P.S. Case No. 40 of 2015, registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The petitioner is alleged to have shot his wife dead on the instigation of others.

It is submitted that the petitioner is a CRPF constable and he was on duty in Jammu & Kashmir. It is further submitted that the trial has not yet been concluded and no progress is made in trial.

Considering the nature of the allegation that the petitioner shot dead his wife, I am not inclined to enlarge the

petitioner above named on bail. Accordingly, the same is rejected.

The learned Magistrate is directed to forthwith commit the case to the court of Sessions and upon such the learned Sessions Judge or any other learned Additional Sessions Judge who is in seisin of the case shall make all efforts to hold the trial on day-to-day basis and conclude the same within a period of one year from the date of receipt/production of a copy of this order.

The S.P. Ara, Bhojpur is directed to ensure the attendance of all the witnesses of Charpokhari P.S. Case No. 40 of 2015 so that the trial must be concluded within one year

Let a copy of this order be transmitted to the S.P. Jehanabad.

(Prabhat Kumar Jha, J.)

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