

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3085 of 2017

Arising Out of PS.Case No. -48 Year- 2015 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Chhabila Yadav, Son of Polo Yadav, resident of village - Salemabad, P.S.
Sahebpur Kamal, District - Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 302 of the
Indian Penal Code and Section 27 of the Arms Act.

The bail of the petitioner is sought on the ground that
up till now, seven prosecution witnesses have been examined but
they have not supported the prosecution case. The impugned order
of learned Additional Sessions Judge goes to show that informant
and other material witnesses are still to be examined. The
informant has claimed herself to be eye witness of the alleged
occurrence and she specifically stated that it was petitioner who
shot fire on the deceased. Furthermore, it is evident from perusal



of Annexure-1 series that taking note of the aforesaid allegation, this Court twice rejected the prayer of bail of the petitioner.

Therefore, again this Court is not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 196 of 2016 arising out of Sahebpur Kamal P.S. Case No. 48 of 2015 pending in the court of 7th Additional Sessions Judge, Begusarai 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 copy of this order.

Let copy of this order be sent to Superintendent of Police, Begusarai with direction to him to ensure the presence of remaining prosecution witnesses of Sessions Trial No. 196 of 2016 arising out of Sahebpur Kamal P.S. Case No. 48 of 2015 before the concerned court without any delay.

(Hemant Kumar Srivastava, J)

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