

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20045 of 2017

Arising Out of PS.Case No. -74 Year- 2015 Thana -PASRAHA District- KHAGARIA

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Pawan Yadav, Son of Late Chandrika Yadav, Resident of Village- Ganaul,
P.S.- Bhabanipur, District- Bhagalpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 17-05-2017 Supplementary affidavit has been filed on behalf of
the petitioner. The same be kept on the record.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is that he along
with other co-accused is said to have committed murder of the
brother of the informant by firing and assaulting by the spade on
his neck.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application taking into
account that the petitioner is named in the F.I.R. The specific
overt act has been alleged against him. The petitioner is said to
have fired upon the deceased along with other co-accused. From
the perusal of the postmortem report, it appears that there are as



many as six injuries.

A report was called for from the trial court regarding the stage of the case. It has been reported that charge has been framed and the trial is expected to be concluded within a period of nine months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in S.T. No. 363 of 2016, arising out of Pasraha P.S. Case No. 74 of 2015, pending in the court of learned Additional Sessions Judge-IV, Khagaria.

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

The District Magistrate, Khagaria and the Superintendent of Police, Khagaria are directed to ensure that the prosecution witnesses are produced in the court on the date fixed by the court below, so that the trial could be concluded within the stipulated period, as indicated by the court below.

Let a copy of this order be communicated to the District Magistrate, Khagaria and the Superintendent of Police, Khagaria.

(Sudhir Singh, J)

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