

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16676 of 2017

Arising Out of PS.Case No. -104 Year- 2016 Thana -JHAJHA RAIL P.S. District- LAKHISARAI

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Sanjay Yadav son of Late Lakhan Yadav, Resident of village- Gobindganj,
P.S.-Jhajha, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar Verma
Mr. Anuj Kumar

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2017 Heard the parties.

This application is for grant of regular bail in connection with Rail P.S.case No.104 of 2016 for the offences under Sections 302/34 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and later on his name transpired during the course of investigation of the case.

It is submitted on behalf of the petitioner that there is nothing against the petitioner except the confessional statement, which is not admissible in the eye of law. So far recovery is concerned, that also does not show that any indiscriminating substance was found in recovery. The petitioner is in custody for about five months.

Heard learned A.P.P. also.

Having heard both sides, in view of allegation as well as



confessional statement and recovery of iron rod, I am not inclined to grant bail to the petitioner, however, as the petitioner is in custody for about five months, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months and if not concluded, the petitioner is at liberty to renew his prayer for bail before the court concerned itself.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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