

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12405 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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AJIT YADAV @ SANJAY KUMAR YADAV @ AJIT KUMAR Son of
Late Naresh Yadav, Resident of Village- Rasalpur, P.S.- Naugachia,
District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 22-03-2017 Heard both sides.

The petitioner seeks bail in Naugachia P.S. Case No. 149/2016 corresponding to Sessions Trial No. 05/17, registered for the offences punishable under Section 302 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

Sunita Devi alleged that she along with her brother-in-law was going to 'Basa'. All of a sudden, criminals came on five motorcycles and they made indiscriminate firing. The informant identified the petitioner and other accused persons.

Learned counsel for the petitioner submits that there is omnibus and general allegation of firing against the petitioner.

Considering the facts aforesaid and the fact that the



deceased got as many as 14 fire-arm injuries and the petitioner is also alleged to have fired, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

The case has been committed to the Court of Sessions and the same is pending before the Additional District & Sessions Judge Ist, Naugachia. The Additional District & Sessions Judge Ist, Naugachia is directed to hold the trial on day-to-day basis even after separating the case of the petitioner from other accused persons, if other accused persons are not appearing and conclude the same preferably within one year.

The Superintendent of Police, Naugachia is directed to ensure the attendance of all prosecution witnesses of Naugachia P.S. Case No. 149/2016 corresponding to Sessions Trial No. 05/17 pending in the court of Additional District & Sessions Judge Ist, Naugachia so that the trial must be concluded within one year.

Let a copy of this order be sent to the Superintendent of Police, Naugachia and learned trial court for information and needful.

(Prabhat Kumar Jha, J.)

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