

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6508 of 2017

Arising Out of PS.Case No. -76 Year- 2015 Thana -ASARGANJ District- MUNGER

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Dhanraj Yadav, son of Shivan Yadav, resident of Village Sajuwa, P.S
Asarganj, District- Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha with
Mr. Kamal Kishore Jha, Advocates

For the Informant : Mr. Sripriya Sinha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sessions Trial No. 185 of 2016, arising out of Asarganj P.S.Case
No. 76 of 2015 registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
there is allegation in the FIR that petitioner along with others had
taken away the deceased Kundan Kumar and later on his dead
body was found and except that there is nothing against the
petitioner and he is in custody since 4.11.2015.

Heard learned APP and learned counsel for the
informant also.



Learned counsel for the informant has opposed the prayer for bail stating that the petitioner has taken the deceased from his house and dead body was found and prayer for bail of one co-accused Ranjak Kumar has been rejected by this Court in Cr.Misc.No. 31223 of 2016 vide order dated 8.9.2016.

Having heard both sides and after perusal of the impugned order it appears that the case is at the stage of evidence and there is strong circumstance against the petitioner that he has taken away the deceased along with others and thereafter dead body was found, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial and conclude it within a period of nine months as the petitioner is in custody for more than one year. If the trial is not concluded within the said period the petitioner will be at liberty to renew his prayer for bail in the court below and the court below will consider it on its own merit and on the basis of materials available on record, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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