

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15506 of 2017

Arising Out of PS.Case No. -63 Year- 2014 Thana -GAMAHARIYA District- MADHEPURA

=====

Shambhu Yadav, Son of Jallo Yadav @ Jay Narayan Yadav, resident of
village - Chikni Fulkaha, P.S. - Gamharia, District - Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Advocate.

For the Opposite Party : Mr. Ram Naresh Ray, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-06-2017 Heard both sides.

The petitioner seeks bail in Gamharia P.S. Case No. 63
of 2014, corresponding to Sessions Trial No. 186/2014/C.I.S. No.
232 of 2014 registered for the offences punishable under Section
302 and other Sections of the Indian Penal Code.

Learned counsel for the petitioner submits that prayer
for bail of the petitioner was earlier rejected on 20.04.2015 passed
in Cr. Misc. No. 7282 of 2015 but the trial has not yet been
concluded. The petitioner is in jail since 25.07.2014 and the
petitioner has already remained in jail for about three years.

A report was called for and the learned Sessions Judge,
Madhepura, who is in seisin of the case, reported that four
prosecution witnesses out of nine have already been examined.



Having considered the facts aforesaid and the fact that it was the petitioner who assaulted Satya Narayan Yadav with Pharsa on his head and consequently Satya Narayan Yadav died on account of injury inflicted by the petitioner, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

Since the petitioner is in jail for about three years the trial court is directed to hold the trial on day to day basis and conclude the same within six months. The S.P., Madhepura is directed to ensure the attendance of all the prosecution witnesses in Gamharia P.S. Case No. 63 of 2014, corresponding to Sessions Trial No. 186/2014/C.I.S. No. 232 of 2014 so that the trial must be concluded within six months. If the trial is not concluded within six months the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--

