

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43084 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -KATEYA District- GOPALGANJ

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Hare Ram Yadav, Son of Late Jokhu Yadav, Resident of Village- Khadhi Bazar, P.S. Kateya, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhramveer, Advocate.

For the Opposite Party : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 06-12-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 04.05.2016 in connection with Kateya P.S. Case No. 87 of 2016 for the offence registered under Sections 341, 323, 325, 506 and 302/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner came and assaulted the informant's husband with pieces of wooden, due to which her husband became injured and fell down. In fallen condition, co-accused Balmiki Yadav pressed with his leg on the chest and abdomen of her husband, resulting into his death.

This is second attempt on behalf of the petitioner for grant of bail.

Earlier bail application of the petitioner was rejected



vide Cr. Misc. No. 36093 of 2016 dated 28.10.2016 taking into account that the petitioner is the main assailant of the deceased.

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

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Kateya P.S. Case No. 87 of 2016, pending in the court of learned J.M. Ist Class, Gopalganj.

The court below is directed to take all necessary steps to conclude the trial within a period of six months from the date of receipt/production of copy of this order.

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

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

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(Sudhir Singh, J)

