

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49570 of 2017

Arising Out of PS.Case No. -293 Year- 2015 Thana -BARAUNI District- BEGUSARAI

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Kanhaiya Kumar @ Kanhaiya Singh, son of Dilip Singh, Resident of
Village- Jokiya, P.S. Bhagwanpur, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anshu Dhar Sharma, Advocate
Mr. Mukesh Kumar, Advocate

For the Opposite Party : Mr. Sri Rajballabh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned counsel representing
the State.

The petitioner wants to renew the prayer of bail
which was earlier rejected vide order dated 18.04.2016 passed in
Cri. Misc. No. 10581 of 2016, on the ground that the petitioner is
suffering in custody since 18.08.2015, it was dark night and it was
impossible to identify the culprits. The informant has not stated
that injured brother stated the name of culprits before him and, as
such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned
counsel for the informant opposes the prayer of bail by submitting
that trial is likely to be concluded and the deceased before his
death stated the name of the petitioner and co-accused Balmukund



Kumar as assailant.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected in connection with Sessions Trail No. 57 of 2016, arising out of Barauni (Garhara) P.S. Case No. 293 of 2015 pending in the court of learned 5th Additional Sessions Judge, Begusarai.

However, the learned trial Court is again directed to expedite the trial and to conclude the same as early as possible within four months.

(Jitendra Mohan Sharma, J.)

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