

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57014 of 2017

Arising Out of PS.Case No. -130 Year- 2014 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Moti Yadav Son of late Sukhal Yadav Resident of Village: Bheriyari,
Police Station Harsidhi, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Harsidhi P.S. Case No. 130
of 2014 corresponding to Sessions Trial No. 1093 of 2017
instituted for the offence under Sections-302, 379 & other minor
Sections of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected by
this court vide order dated 10-05-2017 passed in Cr. Misc. No.
14680 of 2017.

The written report has been filed by the informant
levelling specific allegation against this petitioner and co-accused
Pappu Yadav of assaulting him with lathi on the head causing
serious injury. The informant after giving written report on 19-05-
2014 subsequently died on 23-05-2014.



Therefore, this court is not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner is again rejected.

It has been submitted on behalf of the petitioner that he is in custody since 05-02-2017.

In such circumstance, the court below is directed to expedite the trial of the petitioner and make all efforts to conclude the same as early as possible preferably, within nine months from the date of receipt of copy of this order giving short adjournments in the case.

The court below will send letter to Superintendent of Police, Motihari, East Champaran in advance to produce the witnesses in court on the date fixed in the case for evidence.

The petitioner is given liberty to renew his prayer for bail in the court below itself, in the event trial is not concluded within the period of nine months, which shall be disposed of by the court below in accordance with law. The court below will give reasons in the order for not disposing of the trial within the aforesaid period of nine months.

(Sanjay Priya, J)

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