

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44444 of 2016

Arising Out of P.S. Case No. -223 Year- 2012 Thana –LAHERIA SARAI District- DARBHANGA

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Amit Kumar Yadav @ Salman, son of Sri Rajendra Yadav, R/o Village
Bakarganj, Abhanda, P.S. Laheriasarai and District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Amrendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 18-01-2017 Heard both sides.

The petitioner seeks bail in Laheria Sarai P.S. Case
No. 223/2012 registered under Section 307 and other sections of
the Indian Penal Code, corresponding to Sessions Trial No. 446 of
2013.

The informant named the petitioner and other
accused persons and alleged that the petitioner along with other
accused persons was found preparing for committing cognizable
offence. The petitioner was apprehended by the informant but the
petitioner fired which hit on the right hand and arm of the
informant and thereafter the petitioner fled away.

Learned counsel for the petitioner submits that the



petitioner is in jail since 22.10.2013. The petitioner has already remained in jail for more than three years and the trial has not yet been concluded. Only three witnesses have been examined but it appears that it was the petitioner, who fired causing injury to the informant, a police officer who was unarmed, and thereafter the petitioner fled away. The petitioner has got criminal antecedents and he is accused in as many as 10 cases of different nature including Sections 302, 394, 395 of the Indian Penal Code.

Considering the facts aforesaid, I am not inclined to grant bail to the petitioner in S. Tr. No. 446 of 2013, arising out of Laheria Sarai P.S. Case No. 223/2012. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day-to-day basis and conclude the same within six months from the date of receipt / production of a copy of this order.

The Senior Superintendent of Police, Darbhanga is directed to ensure the attendance of the non-examined prosecution witnesses of S. Tr. No. 446 of 2013, arising out of Laheria Sarai P.S. Case No. 223/2012, so that the trial must be concluded within the aforesaid period of six months.

If the trial is not concluded within six months, the petitioner may renew his prayer for bail.



Let copy of this order be transmitted to the learned trial court as well as the Senior Superintendent of Police, Darbhanga for information and needful.

(Prabhat Kumar Jha, J)

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