

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.970 of 2016

Arising Out of PS.Case No. -244 Year- 2012 Thana -BODHGAYA District- GAYA

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Uday Yadav @ Uday Kumar, S/o Late Naresh Yadav, resident of Village-
Sirajpur, P.S.- Chorki, District- Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar -Advocate

For the Respondent/s : Mr. Binay Krishna-S.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 06-03-2017

Heard learned counsel for the appellant as well as

learned Special Public Prosecutor.

On an exhortation, appellant along with Mahesh Yadav, Vijay Yadav, Lakhan Yadav, Dharmendra Yadav, Shukan Yadav, Indal Yadav, Pramod Yadav, Karu Yadav, Ashok Yadav armed variously, brutally assaulted Binda Paswan and Gora Paswan, on account of which, during course of treatment, Binda Paswan died. The case happens to be of the Year 2012 and presence of appellant has been procured in the Year 2016. From the report, it is evident that charge has already been framed.

Learned counsel for the appellant has annexed Annexure-2, the order dated 17.02.2016 passed in Cr. Misc. No.23205 of 2015 and from perusal of which, it is evident that



prayer for bail of one of the co-accused, Sukan Yadav was rejected twice and further, there was direction to the learned lower Court to conclude the trial within stipulated period, failing which vide order dated 17.02.2016, he was let off on bail.

In the aforesaid background, I do not see it a fit case for grant of bail at the present moment. Accordingly, prayer for bail is rejected.

The learned District & Sessions Judge, Gaya is directed to take proper step, so that trial against the appellant should be disposed of within one year. The Senior Superintendent of Police, Gaya is directed to produce the witnesses and on being produced, the learned lower Court will proceed with the trial on day to day basis till its culmination. Furthermore, the learned lower Court will furnish the report regarding development of the trial.

(Aditya Kumar Trivedi, J)

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