

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55065 of 2016

Arising Out of PS.Case No. -22 Year- 2015 Thana -BIHPUR District- BHAGALPUR

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Shyam Yadav @ Shyam Kishore Yadav, S/o Late Bindeshwari Yadav @ Bindeshwari Prasad Yadav, resident of Village- Jhandapur, P.S.- Bihpur (Jhandapur), District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 22-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted under Sections 304(B), 120(B) and 201/34 of the Indian Penal Code.

Allegation against the petitioner is of committing murder of the sister of the informant and kept her dead body on the railway track with a view that she had committed suicide herself.

Earlier the bail application of the petitioner was rejected vide Annexure-1 to the present application. This is the second application for bail made on behalf of the petitioner.

A report was called for from the trial court regarding stage of the case. It has been reported that out of 8 prosecution witnesses, 4 prosecution witnesses have already been examined



and the trial is expected to be concluded within a period of 6 months.

Considering the aforesaid facts and circumstances and further the trial is at a concluding stage, I am not inclined to grant bail to the petitioner. The same is rejected in connection with S.T. No. 277 of 2015, arising out of Bihpur (Jhandapur) P.S. Case No. 22 of 2015, pending in the court of learned Additional Sessions Judge-IIInd, Naugachia, Bhagalpur.

Anyhow, the Trial Court is directed to take all necessary steps to conclude the trial of the petitioner preferably within a period of six months from the date of receipt/production of the copy of the order.

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

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

(Sudhir Singh, J)

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