

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20381 of 2017

Arising Out of PS.Case No. -37 Year- 2015 Thana -JAYNAGAR District- MADHUBANI

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Anil Yadav Son of Sri Yogendra Yadav, Resident of Village- Dorwar, P.S.-
Jainagar, District- Madhubani. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 17-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 147, 148, 149, 34, 323, 324, 307, 302 of the Indian Penal
Code and Section 27(3) of the Arms Act.

Allegation against the petitioner is that he is said to
have caused fatal injury to the deceased by means of farsha.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 series to the present application.

This is the third attempt on behalf of the petitioner
for grant of bail.

A report was called for from the trial court. It has
been reported that out of 13 prosecution witnesses, one
prosecution witness has already been examined in this case and
the trial is expected to be concluded within a period of one year.

The bail of the petitioner was rejected taking into



account that he was the assailant, who had caused fatal injury upon the deceased. This was a case of double murder. The postmortem report also supported the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in S.T. No. 67 of 2016, arising out of Jainagar P.S. Case No. 37 of 2015, pending in the court of learned 1st Additional Sessions Judge, Madhubani.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of a copy of this order.

The District Magistrate, Madhubani and the Superintendent of Police, Madhubani 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, Madhubani and the Superintendent of Police, Mahubani.

(Sudhir Singh, J)

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