

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23031 of 2017

Arising Out of PS.Case No. -165 Year- 2005 Thana -BARUN District- AURANGABAD

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Kail Baitha @ Sudeshwar Baitha, son of Late Raman Baitha @ Ram Nandan Baitha, resident of Jharna Khurd, Police Station- Bikrampur, District- Palamu (Jharkhand).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha, Advocate
For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 23-08-2017 This application has been filed by the petitioner for grant of bail in connection with Session Trial No. 302-C of 2006/108 of 2015, arising out of Barun P. S. Case No. 165 of 2005 instituted under Section 364-A, 302/34 and 120-B of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 11.10.2012. He has submitted that there is no incriminating material against the petitioner and in course of trial also, no positive evidence has come against the petitioner.

On the other hand, learned counsel for the State has



submitted that the petitioner is a habitual offender. He is accused in other cases of serious nature. He has further contended that all the prosecution witnesses have already been examined during trial and the prosecution evidence has already been closed.

Considering the totality of the circumstances, I do not deem it proper to grant bail to the petitioner at this stage. Accordingly, the application is dismissed.

The trial court is directed to conclude the trial and deliver the judgment as early as possible.

(Ashwani Kumar Singh, J.)

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