

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25113 of 2017

Arising Out of PS.Case No. -354 Year- 2014 Thana -BIHTA District- PATNA

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Dharmu Yadav Son of Late Sarba Rai, resident of Village- Taregna, Police
Station- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Irshad, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 09-08-2017 Heard both sides.

The petitioner seeks bail in Bihta P.S. Case No.
354/2014 corresponding to Sessions Trial No. 287/2015,
registered for the offences punishable under Sections 302 and 34
of the Indian Penal Code.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected vide order
dated 18.05.2016 passed in Cr. Misc. 49323/2015. The trial court
was directed to conclude the trial within one year from the date of
receipt/production of a copy of this order, but the trial has not yet
been concluded. On such, a report was called for from the trial
court and the trial court has reported that Sessions Trial no.
287/2015 was pending in the court of Additional Sessions Judge



IV, Danapur and the case was transferred to the court of Additional Sessions Judge VI, Danapur only on 15.03.2017. The trial court has further reported that only two witnesses remained to be examined.

Considering the facts aforesaid and the fact that there is specific allegation that it was the petitioner who fired at Sunil Yadav killing him on the spot, I am not inclined to enlarge the petitioner above-named on bail. 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 of this order. The Senior Superintendent of Police, Patna is directed to ensure the attendance of the prosecution witnesses of Bihta P.S. Case No. 354/2014 corresponding to Sessions Trial No. 287/2015, so that the trial must be concluded within six months.

Let a copy of this order be sent to the Senior Superintendent of Police, Patna and learned trial court for information and needful. If the trial is not concluded within six months, the petitioner may renew prayer for bail.

(Prabhat Kumar Jha, J.)

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