

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20749 of 2017

Arising Out of PS.Case No. -49 Year- 1998 Thana -GOH District- AURANGABAD

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1. Gaya Kahar Son of Late Vishundeo Kahar, Resident of Village-Shekhpora, P.S.- Goh, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 05.07.2017 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by this court taking note of this fact that the petitioner happened to be the main assailant but submission on behalf of the petitioner is that the petitioner is not the main assailant rather he appears to be only one of the participants of the alleged offence.

No doubt, there appears to be some error on the face of order dated 19.4.2016 passed in Cr. Misc. no 31745/2016 but even if it is accepted that the petitioner is not the main assailant, then also, he participated in the present crime and evaded his arrest for a long period.

Therefore, considering the facts and circumstances as well as previous conduct of the petitioner, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with



Session trial no. 38A of 2000/ 129 of 2016 arising out of Goh P.S.
Case no. 49/1998 pending in the court of Addl. Sessions Judge VI,
Aurangabad stands rejected.

However, learned trial court should expedite the trial of the
petitioner and try to conclude the same as early as possible.

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(Hemant Kumar Srivastava,J)

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