

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49533 of 2016

Arising Out of PS.Case No. -22 Year- 2013 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Shyam Gope, Son of Kusheshwar Gope @ Kushan Gope, resident of
Village- Olibigha, P.S. Chandi, Dist- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate.

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with in
connection with Sessions Trial No. 680 of 2013 arising out of
Chandi P.S. Case No. 22 of 2013 registered under Section 302/34
of the Indian Penal Code and Section 27 of the
Arms Act .

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was firstly rejected on merit vide
order dated 03.04.2014 passed in Cr. Misc. No. 1525 of 2014 along
with another analogous case by this Court. Later on, his prayer for
bail was again rejected vide order dated 01.07.2015 passed in Cr.
Misc. No. 24822 of 2015. It is further submitted that the informant
identified the petitioner and Dipu Yadav @ Lambua as assailant of



deceased, brother of informant and Dipu Yadav @ Lambua has already been granted privilege of bail by this Court vide order dated 23.06.2015 passed in Criminal Misc. No.7699 of 2015. Further submission is that petitioner is in custody since 12.03.2013. No any fresh ground has been raised in the present petition to reconsider the prayer for bail.

A report regarding the present stage of trial has been received through letter no. 336 dated 15.12.2016, from the court of Additional Sessions Judge-III, Nalanda at Biharshari, which shows that out of twelve witnesses, six witnesses have already been examined and bailable warrant has already been issued against rest witnesses.

Having considered the facts and circumstances of the case, I find no ground to reconsider the prayer for bail of the petitioner. Accordingly, the prayer for bail of the petitioner is rejected. However, the trial court is directed to conclude the trial of the petitioner within six months by taking all effective steps. If the trial of the petitioner is not concluded within aforesaid period of six months, the petitioner would be at liberty to renew his prayer for bail

(Rajendra Kumar Mishra, J)

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