

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40860 of 2017

Arising Out of PS.Case No. -138 Year- 2016 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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1. Kanhaiya Kumar @ Kanhaiya Yadav, Bijendra Prasad Yadav @ Bijen Yadav, Resident of Village- Hiratol, Police Station- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 13-12-2017 Heard both sides.

The petitioner seeks bail in Sahebpur Kamal P.S. Case No. 138 of 2016, registered for the offence punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier rejected vide order dated 28.02.2017 passed by this Court in Criminal Miscellaneous No. 1512 of 2017.

The learned counsel for the petitioner submits that the petitioner is in jail since 30.09.2016. The petitioner has already been detained in jail for more than one year and three months in a case registered under Section 307 and other Sections of the Indian



Penal Code and under Section 27 of the Arms Act.

It appears that the petitioner fired which hit on the chin of Narsingh Yadav and the doctor opined the injury to be grievous in nature.

Considering the facts and nature of injury is grievous in nature, 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 nine months from the date of receipt of a copy of this order. If the trial is not concluded within stipulated period, the petitioner may renew his prayer for bail.

The Superintendent of Police, Begusarai is also directed to ensure the presence of attendance of all the non-examined prosecution witnesses in the aforesaid case, so that the trial must be concluded within nine months.

Let a copy of this order be transmitted to the Superintendent of Police, Begusarai for information and necessary action.

(Prabhat Kumar Jha, J)

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