

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41766 of 2017

Arising Out of PS.Case No. -374 Year- 2014 Thana -UDWANTNAGAR District- BHOJPUR

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1. Ram Kumar Das @ Sadhuji Son of Late Sunder Singh Resident of
Village - Khalisha, P.S. Udwanthnagar, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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

ORAL ORDER

3 01-11-2017 Heard both sides.

The petitioner seeks bail in Udwanthnagar P.S. Case
No. 374 of 2014, corresponding to Sessions Trial No. 185 of 2015,
registered for the offences punishable under Sections 302, 201 and
34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected on 30.04.2015
and 19.10.2016 vide Cr. Misc. No. 4295 of 2015 and Cr. Misc.
No. 48845 of 2015. The trial court was directed to conclude the
trial within six months and if the trial is not concluded the
petitioner may renew his prayer for bail.

Learned counsel for the petitioner submits that the
trial has not yet been concluded and similarly situated co-accused



Biru Singh has been granted bail vide order dated 29.08.2016 passed in Cr. Misc. No. 26750 of 2016 and the case of the petitioner stands on the same footing.

A report was called for from learned Additional Sessions Judge VI, Bhojpur at Ara. Learned Additional Sessions Judge VI, Bhojpur at Ara reported that all the witnesses except the Investigating Officer have already been examined and the case is fixed for evidence on 02.11.2017, but Biru Singh who was granted bail remained absent and, therefore, the evidence of the prosecution witnesses could not be recorded.

Considering the facts aforesaid and the fact that the trial is at its fag end, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to separate the case of the petitioner from the case of other non-attending accused persons and dispose of the case holding the trial on day-to-day basis within two months.

(Prabhat Kumar Jha, J)

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