

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54575 of 2016

Arising Out of PS.Case No. -72 Year- 2011 Thana -BARGANIA District- SITAMARHI

=====

1. Ganesh Yadav @ Ganesh Rai Son of Ram Bharos Rai Resident of
Village-Masha Narottam, Police Station-Bairgania, District-Siramarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 08-02-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 27.01.2016 passed in Cr. Misc. No. 35266 of 2015 on the ground that the petitioner is suffering in custody since 12.02.2015 and till now the case has not been committed and the record is pending for appearance of rest two co-accused which is apparent from the report of the learned C.J.M. Sitamarhi dated 18.01.2017, though it was observed that let the trial be expedited. The petitioner is the elected Mukhiya and there is no chance of fleeing away or tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by



submitting that the petitioner is the assailant and the postmortem report also corroborates the allegation.

In the facts and circumstances as stated above, finding no good ground for reconsideration of prayer for bail of the petitioner, again prayer for bail of the petitioner stands rejected in connection with Bairgania P.S. Case No. 72 of 2011 pending in the court of C.J.M. Sitamarhi.

However, the learned C.J.M. is directed to separate the case of the petitioner from other absenting accused and to commit the case so that the trial be expedited and concluded as early as possible preferably within a period of nine months.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

