

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2922 of 2017

Arising Out of PS.Case No. -488 Year- 2015 Thana -DHANARUA District- PATNA

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1. Yadav Jee @ Dharmendra Yadav S/o Akchhlal Yadav@Akchhe Lal
Yadav Resident of Village- Oriara, P.S.- Dhanarua, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Singh

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-02-2017 The petitioner is in custody since 14.12.2015 in connection with S. Tr. No. 723 of 2016 arising out of Dhanarua P.S. Case No. 488 of 2015, registered for offences punishable under Sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that only allegation that can be attributed to the petitioner is that he handed over the pistol to one Loha Singh, who fired on deceased, causing his death and except that petitioner has no further role to play in the said occurrence and he has been in custody since 14.12.2015.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that there is direct allegation against the petitioner that he assaulted the



deceased by fists and slaps and also he gave the pistol to co-accused person to fire at the deceased, I am not inclined to grant the petitioner the privilege of regular at this stage. The application for regular bail is, accordingly, rejected.

However, since the case has already been committed to the Court of sessions, learned Trial Court is directed to expedite the trial and try to conclude the same within a period of nine months from today and if the trial is not concluded within the aforesaid period, petitioner will be at liberty to renew his prayer for bail before the Court below itself, which will be disposed of by the Court below on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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