

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32628 of 2017

Arising Out of PS.Case No. -42 Year- 2012 Thana -BIKRAM District- PATNA

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1. Jitendra Yadav Son of Rohan Yadav, Resident of Village-Pansari, P.S.-
Vikram, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-10-2017 Heard the parties.

This application is for grant of regular bail in connection with Session Trial No.511 of 2013 arising out of Bikram P.S.Case No.42 of 2012 for the offences under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the FIR and later on his name transpired in this case during the course of investigation of the case.

Submission of the learned counsel for the petitioner is that Mukesh Gope and Rakesh Gope, who are co-accused in this case, have already been released on bail by this Court, vide order dated 20.08.2013 passed in Cr. Misc. No.26791 of 2013 and order



dated 07.08.2013 passed in Cr. Misc. No.29835 of 2013. It has also been submitted that the petitioner is not named in the F.I.R. as well as no specific allegation has been attributed against him. The petitioner is in custody for about five years.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and from perusal of the record, it appears that a report was called for from the learned trial court, which shows that in this case almost all the prosecution witnesses have been examined and the next date is fixed on 11.10.2017 for evidence. The learned trial court has also submitted a report that the case is likely to be concluded within a period of two months, if the parties co-operates in the proceedings of the case.

Having heard both sides and in such view of the matter, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed to conclude the trial within a period of four months.

At the same time, the Sr.S.P., Patna is directed to ensure presence of all the witnesses in this case on each and every date fixed by the court concerned so that the trial may be concluded within the period as specified.



It is also made clear that the petitioner and other co-accused persons shall co-operate in disposal of the trial.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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