

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46499 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -BELSAND District- SITAMARHI

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1. Binod Bhagat, son of Nathuni Bhagat, R/o Village - Bhandari, P.S. -
Belsand, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in Belsand P.S. Case No.87 of
2016 giving rise to Sessions Trial No.329 of 2017 instituted for
the offence under Section(s) 302/34, 504 Indian Penal Code
pending in the Court of the FTC II, Sitamarhi.

Prayer of the petitioner for bail was earlier rejected
by this Court by order dated 10.03.2017 passed in Cr. Misc.
No.8693 of 2017.

As per allegation, petitioner is main assailant.
Counsel for the petitioner has submitted that he is in custody
since 28.10.2016.

A report was called for from the Court below, which
has been received. The Court below has mentioned in the report



that after framing of charge one witness has already been examined in the case.

In such circumstances, at this stage, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is rejected.

However, Trial Court is directed to expedite the trial and make efforts to conclude the same within a period of nine months from the date of receipt of a copy of this order by giving short adjournments since the petitioner is in custody from 28.10.2016.

Liberty is given to the petitioner to renew his prayer for bail in the Court below itself in the event trial is not concluded within the aforesaid period and in that event Trial Court will assign reason for not concluding the trial within the aforesaid period.

(Sanjay Priya, J)

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