

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 43371 of 2015

Arising Out of PS.Case No. -36 Year- 2013 Thana -KHAIRA District- SARAN

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Kanhaya Rai @ Kanhaiya Rai, S/o Sri. Kedar Rai, Resident of village- Maksuspur,
Police Station- Khaira, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-01-2017

Heard learned counsel for the parties.

The petitioner seeks bail in Khaira P.S. Case No. 36
of 2013 dated 30.05.2013 instituted under Sections 302/34 of the
Indian Penal Code and 27 of the Arms Act.

This is the second attempt of the petitioner for bail as
earlier such prayer was rejected by order dated 29.08.2014 in Cr.
Misc. No. 6966 of 2014.

Having regard to the fact that the informant has
categorically stated that it was the petitioner who had opened fire on
the deceased and the postmortem report also corroborated the death
due to injury caused by firearm, the Court is not inclined to release
the petitioner on bail.

Accordingly, the application stands dismissed.



Earlier a report was called for from the Court below with regard to the status of the case. The same has been received from the Additional Sessions Judge, X, Saran at Chapra dated 21.09.2016, in which it has been stated that the trial was expected to be concluded within six months.

Having regard to the aforesaid, a direction is issued to the Court below to conclude the trial within nine months positively.

The order be communicated to the Court below through Fax also latest by tomorrow.

(Ahsanuddin Amanullah, J.)

P. Kumar

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