

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 53631 of 2016**

Arising Out of PS.Case No. -52 Year- 2006 Thana -LAUKARIA District-  
WESTCHAMPARAN(BETTIAH)

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Rambhu Yadav, Son of Suryabali Yadav, resident of village - Kailash  
Nagar, P.S. Bagaha, District - West Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Shankar Sahay

Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

5. 29-03-2017                      Heard Sri Ravi Shankar Sahay, learned counsel  
  
assisted by Sri Anand Kishore Choudhary, learned counsel for the  
  
petitioner and Sri Dashrath Mehta, learned Addl. Public  
  
Prosecutor.

This is the 2<sup>nd</sup> attempt for grant of bail on behalf of  
  
the petitioner in Sessions Trial No. 425 of 2016, arising out of  
  
Laukariya P.S. Case No. 52 of 2006 registered for the offence  
  
under Sections 364 (A) of the Indian Penal Code.

Earlier, by order dated 15-12-2015 passed in Cr.  
  
Misc. No. 53004 of 2015, the prayer for bail of the petitioner was  
  
rejected on merit as well as the fact that though case was  
  
registered in the year 2006 and he surrendered in another case in



2013, he was remanded in the present case in 2014. The another reason for rejection of bail was that in paragraph – 3 of the bail petition, fact was disclosed that the petitioner was accused in nine cases of serious offences.

In the present case, by order dated 18-01-2017, a report was called for from the court below regarding stage of the case. In compliance of the order of this Court, a report dated 28-01-2017 of the trial court, which was forwarded vide letter dated 01-03-2017, has been brought on record and kept as Flag ‘Y’. The report indicates that the case was committed on 19-11-2016, charges were filed and out of seven chargesheeted witnesses, two witnesses have already been examined. Meaning thereby that trial is continuing.

In view of the fact that trial is going on as well as the fact that on merit, the prayer for bail has already been rejected, there is no reason to recall my earlier order.

The prayer for bail again stands rejected.

However, keeping in view of the fact that petitioner is in custody, in the present case, since 2014 and trial is already continuing, while rejecting the prayer for bail, it is desirable to observe that learned court below as well as prosecution may take all steps so that the case may come to its logical end without



unnecessary delay. If possible, learned trial court is required to  
take up the matter at least once in a week.

**(Rakesh Kumar, J.)**

Anay

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