

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28913 of 2017

Arising Out of PS.Case No. -415 Year- 2015 Thana -BAHERA District- DARBHANGA

- =====
1. Lalit Yadav Son of Sh. O. P. Yadav,
 2. Ram Bahadur Yadav, Son of Late Sunnar Yadav, All Resident of Village- Vishwanathpur, P.S.- Bahera, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Parasmani, Advocate.

For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 25.01.2016 in a case registered for the offence under Sections 147, 148, 149, 341, 342, 323, 324, 302 and 120(B) of the IPC.

The prosecution story, in brief, is that the petitioners and other named co-accused persons came variously armed and surrounded the husband of the informant. The petitioner no. 1 assaulted with *Tarchhebi* while petitioner no. 2 assaulted with *Farsa* as a result of which, the husband of the informant fell down but in spite of that all accused persons kept on beating him. After ensuring that the husband of the informant died co-accused Rudal



Yadav fled away.

Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 34883 of 2016 dated 17.10.2016 taking into account that the petitioners had assaulted the deceased.

A report was called for from the court below regarding the stage of the case. It has been reported that the charge has already been framed and the trial is expected to be concluded within a period of seven months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Bahera P.S. Case No. 415 of 2015, corresponding to Sessions Trial No. 168 of 2016, pending in the court of learned Additional Sessions Judge-II, Benipur, Darbhanga.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of seven months from the date of receipt/production of copy of this order.

The District Magistrate, Darbhanga and the Senior Superintendent of Police, Darbhanga, are also directed to ensure that the prosecution witnesses are produced on the next date fixed by the court below so that the trial could be concluded within the stipulated period.



Let a copy of this order be communicated to the District Magistrate, Darbhanga and the Senior Superintendent of Police, Begusarai.

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(Sudhir Singh, J)

