

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21772 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -PHULPARAS District- MADHUBANI

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1. Ram Bharosh Yadav @ Machhar Yadav, Son of Agarjit Yadav,
Resident of Village- Balua, P.S.- Laukahi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti.

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2017 The petitioner seeks regular bail in connection with

phulparas P.S. Case No. 78 of 2016, registered for offences

punishable under Section 392 of the Indian Penal Code.

From perusal of the record it appears that this is the

second time that petitioner has preferred this application for grant

of regular bail as his previous application was dismissed on merit

by this Court vide order dated 09.01.2017 passed in Criminal

Miscellaneous No. 55193 of 2016, with the direction to the

learned Trial Court to expedite the trial.

It has been submitted on behalf of the petitioner that in

this case charge has been framed but uptil now no witness has

been examined. It has also been submitted that in this case there is

nothing against the petitioner and now he has remained in custody



for more than ten months.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that earlier the petitioner's application for grant of regular bail was dismissed on merit and since then no new ground except that charge has been framed, has emerged, warranting this court for consideration of his prayer for bail afresh, as such, this time also, I am not inclined to release the petitioner on bail. His application for grant of regular bail is, accordingly, rejected.

However, considering the fact that petitioner has remained in judicial custody for more than ten months, trial court is directed to expedite the trial and try to conclude it as early as possible preferably within a period of seven months from today and if the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail in the court below itself.

(Vinod Kumar Sinha, J)

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