

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16107 of 2017

Arising Out of PS.Case No. -4 Year- 2015 Thana -AURANGABAD GRP CASE District-
AURANGABAD

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Vinay Yadav, Son of Rampravesh Yadav, Resident of Village –
Masaundha, P.S. Kasma, District – Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Leelawati Kumari, Adv.

For the Opposite Party/s : Mr. Gajendra, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2017 The petitioner is in custody since 13.01.2016 in
connection with Sone Nagar Rail P.S. Case No. 04 of 2015,
registered for offences punishable under Sections 304(B), 201 and
34 Indian Penal Code.

It has been submitted on behalf of the petitioner that
present case is under Section 304(B) and petitioner is husband.
Further in this case altogether ten witnesses have been examined
on behalf of the prosecution and all of them including the
informant has turned hostile and the case is pending for evidence
of Doctor and I.O. and in spite of several recourse taken for their
presence, they have not been examined and the case is pending
since 01.10.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances, at present, I am not inclined to grant the petitioner the privilege of bail, his prayer for bail is accordingly rejected.

However, considering the fact that ten witnesses have already been examined and the case is pending for examination of Doctor and I.O., as such, trial court is directed to conduct the trial of the petitioner on day to day basis and try to expedite and conclude the same, within a period of three 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.

Superintendent of Police, Aurangabad, is directed to ensure attendance of witnesses in the court below on the date fixed.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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