

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13374 of 2017

Arising Out of PS.Case No. -47 Year- 2014 Thana -KASIMBAZAR District- MUNGER

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Chandan Yadav @ Chandrama Prasad Yadav, Son of Sri Jaai Kishore
Yadav, Resident of Mohalla-Sandalpur, P.S.-Kasim Bazar, District-Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agarwal, Sr. Advocate and Mr.
Manoj Kumar Jha, Advocate.

For the Opposite Party : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-04-2017 Heard learned senior counsel for the petitioner and

learned counsel for the State.

The petitioner is languishing in custody since 17.06.2015
in connection with Kasim Bazar P.S. Case No. 47 of 2014,
corresponding to Sessions Trial No. 879 of 2014 for the offences
instituted under Sections 448, 302/34 of the IPC and 27 of the
Arms Act.

The prosecution case, in short, is that the petitioner
alongwith others shot Prashant Kumar (deceased) who was
brought to the hospital where the Medical Officer declared him
dead.

The earlier bail application of the petitioner was rejected



vide Cr. Misc. No. 34073 of 2015 dated 05.10.2015 taking into account that the petitioner is the one of the assailants of the deceased.

A report was called for from the court below regarding the stage of the case. It has been reported that out of seven charge sheeted witnesses, three witnesses have already been examined and summon, bailable warrant and non bailable warrant have already been issued on the remaining witnesses. The trial is expected to be concluded within a period of three months.

Considering the fact that the trial is already in progress, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 879 of 2014, arising out of Kasim Bazar P.S. Case No. 47 of 2014, pending in the court of the learned Additional Sessions Judge-II, Munger.

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

The District Magistrate, Munger and the Superintendent of Police, Munger are also directed to ensure that the remaining prosecution witnesses are produced on the 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, Munger and the Superintendent of Police,
Munger.

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(Sudhir Singh, J)

