

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2655 of 2017

Arising Out of PS. Case No.-82 Year-2015 Thana- CHARPOKHARI District- Bhojpur

Binay Yadav, Son of Late Ram Layak Yadav, R/o Village- Chandi, P.S.-
Charpokhari, District- Bojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ravindra kumar
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 28-03-2018 The appellant is aggrieved by an order, dated 17.06.2017, passed by learned Additional Sessions Judge I, Bhojpur, at Ara, in SC/ST Case No. 28 of 2016, arising out of Charpokhari Police Station Case No. 82 of 2015, whereby his application for regular bail has been rejected.

It transpires that earlier also, his application for regular bail was rejected by the Court below, against which the appellant had approached this Court by filing Criminal Appeal (SJ) No. 981 of 2016, which was dismissed by order, dated 05.12.2016, with a liberty granted to the appellant to renew his prayer for bail before the Court below if the trial was not concluded within a period of six months from the date of communication of the said order. Since the appellant applied for his release before



completion of six months, the Court below has rejected the appellant's application by the impugned order.

The order, dated 17.06.2017, cannot be said to be suffering from any legal infirmity.

Learned Counsel for the appellant has informed this Court that till date, there is no progress in the trial inasmuch as only charge has been framed and no witness have been examined.

The appellant shall be at liberty to renew his prayer for bail on this ground before the Court below in the light of the observation made by this Court earlier in the order, dated 05.12.2016.

This appeal stands disposed of with the observation, as above.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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