

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46356 of 2018

Arising Out of PS.Case No. -39 Year- 2017 Thana -ALIPUR District- GAYA

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1. Birendra Rajak @ Virendra Rajak S/o Late Ghanshyam Rajak, R/o Vill.-
Chaitya, P.S.- Alipur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-09-2018 Heard the parties.

Petitioner seeks bail in Sessions Trial No.42 / 2017 /456
/ 2017 arising out of Alipur P.S.Case No.39 of 2017 registered for
the offences under Sections 147, 148, 149, 307, and 302 of the
I.P.C.

Allegation against the petitioner is general and and
omnibus and allegation of assault to the deceased was on the other
accused persons.

Submission of the learned counsel for the petitioner is
that there is no specific allegation of assault against him. He is in
custody since 9.5.2018.

Heard learned A.P.P. also who has not controverted the
fact. However, petitioner was absconding and, as such, case of the



other accused persons have been bifurcated.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage. However, learned trial court is directed to expedite the trial and conclude it within a period of six months. If it is not concluded within the stipulated period and the petitioner has no latches on his part, then the trial court shall release him on bail to his own satisfaction.

This application is disposed of.

(Vinod Kumar Sinha, J)

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