

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61877 of 2017

Arising Out of PS.Case No. -36 Year- 2002 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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Harnam Yadav @ Hareram Yadav S/o Late Vishwanath Yadav, R/o
Village- Shera Bazar, P.S.- Bathwaria, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-01-2018 Heard the parties.

This application is for grant of regular bail in connection with Sessions Trial No.123 of 2015 arising out of Thakraha (Bhitaha) P.S.Case no.36 of 2002 for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

Petitioner is not named in the FIR and there is allegation that he alongwith other accused persons has caused death of the deceased. It further appears that that the trial has already commenced and six witnesses have been examined out of 15 witnesses.

Submission of the learned counsel for the petitioner is that he has been made accused only on the basis of submission and though he is accused in eight other cases but he is on bail in all those cases. Now he is in custody for about 3 ½ years.



Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of fact that he is named in the FIR along with the fact that he is accused in eight other cases and also considering the fact that the trial has commenced and six witnesses have been examined and the learned trial court has reported that the trial will be concluded within a period of eight months, as such I am not inclined to grant bail to the petitioner, however, since he is in custody for about 3 ½ years, the learned trial court is directed to expedite the trial and try to conclude it within a period of six months and if possible to conduct it on day to day basis or on regular basis.

At the same time the S.P., West Champaran at Bettiah is directed to ensure presence of the witnesses.

The aforesaid direction must be complied strictly failing which this Court will take serious view against the concerned.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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