

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3251 of 2017

Arising Out of PS.Case No. -80 Year- 2013 Thana -NAUBATPUR District- PATNA

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Sanjay Rai, Son of Sri Baiju Rai, resident of Village - Narendra Rampur, P.S. -
Naubatpur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 14-03-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Naubatpur P.S. Case No.
80 of 2013 instituted under Sections 341/323/324/307/447/34 of the
Indian Penal Code to which later on Section 302 of the Indian Penal
Code was added.

3. This is the third attempt for bail by the petitioner as
earlier such prayer was rejected by order dated 20.06.2014 in Cr.
Misc. No. 9082 of 2014 and thereafter by judgment dated 02.09.2016
in Cr. Misc. No. 28916 of 2015.

4. The petitioner has not been able to show any fresh
ground for consideration of his prayer for bail except that despite the
Court directing for examination of the prosecution witnesses by 30th



November, 2016, the same has not been done.

5. Having perused the record, from the report which was called for from the trial Court and submitted under Letter dated 20.12.2017, it appears that six out of eight prosecution witnesses had already been examined and the next date was fixed for 20.12.2017. The Court can only presume that now all prosecution witnesses have been examined and, thus, it is for the petitioner to ensure that he gets his witnesses examined and thereafter gets the argument concluded for the Court to deliver judgment.

6. In view thereof, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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