

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57965 of 2017

Arising Out of PS.Case No. -6 Year- 2015 Thana -PHULPARAS District- MADHUBANI

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1. Deva Yadav @ Karia @ Mamajee s/o Nageshwar Yadav Resident of
village- Navtol, P.S.- Phulparas, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 10-01-2018 Heard both sides.

The petitioner seeks bail in Phulparas P.S. Case No.6
of 2015 registered under Section 395 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected
vide order dated 16.09.2015 passed in Cr. Misc. No.42282 of
2015.

The learned counsel for the petitioner submits that Om
Prakash Yadav has already been enlarged on bail vide order
passed in Cr. Misc. No.53065 of 2016 by a Bench of this Court.
The case of the petitioner stands on the same footing but it appears
that the informant was duly identified by the informant along with
Om Prakash Yadav and the informant named the petitioner. The
petitioner has got criminal antecedent.



Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in custody since 15.04.2015, the trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

S.P., Madhubani is directed to ensure the attendance of all the prosecution witnesses of Phulparas P.S. Case No.6 of 2015 in the Court of Additional Sessions Judge II who is in session of the matter in Sessions Trial No.149 of 2016 so that the trial must be concluded within six months. Let this order be sent to Additional Sessions Judge II, Madhubani and S.P., Madhubani for needful.

If the trial is not concluded within six months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

Saurabh/-

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