

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10139 of 2018

Arising Out of PS. Case No.-153 Year-2014 Thana- SALKHUA District- Saharsa

Ajit Yadav S/o Photo Yadav Resident of Village- Raghunathpur, P.S. Sahebpur
Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. SRI RAJKISHORE SINGH

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected twice vide order dated 19.05.2016 and 26.04.2017 passed in Cr. Misc. Nos. 13217 of 2016 and 17008 of 2017 respectively, on the ground that the petitioner is in custody since 23.06.2015, only one entry wound and one exit wound were found on the person of the deceased and there is allegation that the petitioner and co-accused Sachin Yadav opened fire upon the husband of the informant which hit in the right rib cage which appears not reliable, the informant is not an eye witness and she has tried to become an eye witness which cannot be believed. The trial has not been concluded within six months as per the direction of this Court and as such the



petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner is also one of the assailants but the trial has not been concluded within the period of six months.

In the facts and circumstances stated above, finding no good ground for reconsideration of the prayer of bail of the petitioner, again his such prayer stands rejected in S. Tr. No. 16 of 2016 arising out of Salkhua P. S. Case No. 153 of 2014 pending in the court of learned Additional Sessions Judge I, Saharsa.

However, considering the period of detention, learned trial court is again directed to expedite the trial and conclude the same as early as possible, preferably within four months from the date of receipt/production of a copy of this order after keeping the same on day to day basis, failing which, the petitioner, if at no fault, may be at liberty to renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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