

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.399 of 2018

Arising Out of PS.Case No. -20 Year- 2015 Thana -JAMOBABAZAR District- SIWAN

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1. Binda Rai, Son of Sonar Rai, Resident of Village-Jalalpur, P.S. Jamo,
District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh, Advocate

For the Opposite Party/s : Mr. Sri Sadanand Paswan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected vide order dated 27.06.2016 passed in Cri. Misc. No. 17456 of 2016, on the ground that the petitioner is suffering in custody since 08.05.2015. There is case and counter case, both sides have received injury. Post mortem report does not support the prosecution version. There was direction to conclude the trial within nine months, but the trial has not been concluded and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner assaulted Mithun Kumar Baitha with spear in his stomach resulting, Mithun Kumar Baitha died in the



hospital. In postmortem report also the injury was found caused by hard and blunt penetrating weapon.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected.

However, the learned trial Court is directed to expedite the trial and conclude the same preferably within six months, from date of receipt/production of a copy of this order, failing which if the petitioner at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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