

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37309 of 2017

Arising Out of PS.Case No. -175 Year- 2008 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Nagender Yadav @ Nagendra Yadav, S/o Late Ram Chander Yadav,
resident of Village- Fatu Chhapar, P.S.- Bairiya, District- West Champaran.
... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

9 02-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Bairiya PS Case
No. 175 of 2008 registered under Sections 302, 201, 34 of the IPC
and Section 27 of the Arms Act.

The allegation in brief is that the informant saw this
petitioner and one Sanjay Yadav along with others fleeing away
from the place of occurrence and she found her son and husband
both shot dead. The case is of the year 2008 and the petitioner was
arrested on 2.1.2016.

Learned Counsel for the petitioner submits that there is no
land dispute between the petitioner and the deceased, informant is
not the eye witness and another accused Reena Devi and Sudama
Singh were put on trial and acquitted by the trial court.

Learned Counsel for the State submits that the petitioner is
an absconder for a long period of eight years and still charge has not
been framed in this case.

Having considered the said facts and circumstances, the
prayer for bail of the petitioner is rejected.

Since the petitioner is in custody, the trial court is directed to
expedite the trial and preferably conclude the same within a period
of two years.

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(Arun Kumar, J.)

