

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50163 of 2017

Arising Out of PS.Case No. -192 Year- 2012 Thana -FATEHPUR District- GAYA

- =====
1. Mirchand Yadav.
 2. Karu Yadav.
- Both are Sons of Late Ghutar Yadav, R/o Village- Rato, P.S.- Fatehpur,
District- Gaya.

.... 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 RAJENDRA KUMAR MISHRA

ORAL ORDER

4 31-01-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek bail in connection with Sessions Trial
No.65 of 2017-445 of 2013, arising out of Fatehpur P.S. Case No.192
of 2012, registered under Sections 147, 148, 302, 307, 504 and 323 of
the Indian Penal Code besides Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioners
submits that the prayer for bail of the petitioners was rejected twice,
lastly vide order dated 15.04.2015 passed in Criminal Misc. No.6655 of
2015, by this Court, taking into consideration the allegation against the
petitioners to cause injury through Pasuli and knife at the forehead of
the deceased, the husband of the informant. At that time, Raju Yadav



and Umesh Yadav shot fire at the deceased, who died in course of treatment. Further submission is that the petitioners are in custody since 25.03.2013 but the trial of the petitioners has not been concluded as yet.

The report regarding the stage of the trial of the petitioners and the expected time within which the trial of the petitioners is likely to be concluded, as called for vide order dated 17.01.2018, has been received from the court of the Additional Sessions Judge-I, Gaya, through Letter No.29 dated 20.01.2018 from which it appears that out of 8 chargesheet witnesses, six witnesses have already been examined and only I.O. and doctor are yet to be examined. The trial court expects that the trial of the petitioners may be concluded within three months.

Having regard to the facts and the circumstances of the case, I am not inclined to grant bail to the petitioners. Accordingly, the prayer of the petitioners for grant of bail stands rejected. However, the Additional Sessions Judge-I, Gaya, is directed to conclude the trial of the petitioners within four month. If the trial of the petitioners is not concluded within four months, the petitioners would be at liberty to renew their prayer for bail.

(Rajendra Kumar Mishra, J)

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