

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15863 of 2018

Arising Out of PS.Case No. -354 Year- 2014 Thana -BIHTA District- PATNA

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1. Dharmu Yadav S/o Late Sarba Rai @ Sarba Yadav, R/o Village-Taregna, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 27-06-2018 Heard both sides.

The petitioner seeks bail in S.T. No.287 of 2015, arising out of Bihta P.S. Case No.354/2014, registered under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in jail since 30.07.2014 but the trial has not been concluded. The prayer for bail of the petitioner was earlier rejected vide order dated 12.05.2015 and 18.05.2016 with a direction to the trial court to expedite the trial and conclude the trial within one year from the date of receipt of the order but the trial has not been concluded. On such a report was called for from the Trial court and it has been reported that a letter has been written to S.S.P.,



Patna to produce the I.O. for his evidence in court. The S.S.P., Patna did not respond and on such the S.S.P., Patna was asked to appear in person. The S.S.P., Patna reported that Shambhu Yadav, the I.O. of the case was present on 26.06.2018 for his evidence. The next date for evidence is fixed on 12.07.2018. The I.O. shall be present for his evidence on 12.07.2018. Thereafter the case shall be concluded.

Considering the facts aforesaid and the fact that only I.O. is left to be examined, who shall be examined on 12.07.2018, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected in S.T. No.287 of 2015, arising out of Bihta P.S. Case No.354/2014, pending in the court of learned A.D.J.-IV, Danapur, Patna.

The trial court is directed to dispose of the case within three months.

The personal appearance of the S.S.P., Patna is dispensed with.

(Prabhat Kumar Jha, J)

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