

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16974 of 2018

Arising Out of PS.Case No. -100 Year- 2015 Thana -KARAI PARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Brijlala Yadav @ Brijlala Prasad S/o Ayodhya Yadav Resident of
Village- Merahana, P.S. Karay Parsuray, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Meena Rani

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 18-07-2018 Heard both sides.

The petitioner seeks bail in Karay Parsurai P.S. Case
No.100 of 2015 registered under Section 302 and 34 of the Indian
Penal Code and under Section 27 of the Arms Act.

Mr. Pramod Kumar Singh, the learned counsel for the
petitioner submits that prayer for bail of the petitioner was earlier
rejected vide order dated 08.04.2017 passed in Cr. Misc.
No.11019 of 2017. The allegation against the petitioner is that it
was the petitioner who shot his son dead and the informant is
widow of the deceased. It is further submitted that learned trial
court has stated in his order that only two witnesses are left to be
examined but the order was passed on 24.02.2018. Even after



lapse of about five months, the remaining two witnesses have not yet been examined. The trial is not likely to be concluded in near future and petitioner is in jail since 18.09.2015. Petitioner is in jail for about three years.

Taking into consideration the facts that there is specific allegation that the petitioner shot his own son dead, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected but since the petitioner is in jail for about three years, the trial court is directed to expedite the trial and hold the same on day to day basis and conclude the trial within six months from the date of receipt of this order.

S.P., Biharsharif, Nalanda is directed to ensure the attendance of non-examining witnesses of Sessions Trial No.36 of 2016 pending in the court of 1st Additional Sessions Judge, Hilsa, Nalanda so that the trial must be concluded within six months.

Let a copy of this order be sent to S.P., Biharsharif, Nalanda and the Trial Judge for needful.

If the trial is not concluded within six months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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