

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60267 of 2018

Arising Out of PS. Case No.-54 Year-2003 Thana- BANGAWON District- Saharsa

Sikandra Yadav @ Sikandar Yadav, Son of Late Ghuran Yadav, Resident of Village- Bariyahi Barti, P.S.-Bangaon, District-Saharsa.

... .. Petitioner

Versus

1. The State Of Bihar
2. Jawahar Yadav Son of Late Bindeshwari Yadav.
3. Bhumi Yadav Son of Sri Deonarayan Yadav,
4. Deonarayan Yadav Son of Late Saibt Yadav.
5. Man Mohan Yadav Son of Sri Sudeshwar Yadav
6. Pawan Yadav Son of Sri Sudeshwar Yadav
7. Anil Yadav Son of Late O.P. Yadav.
8. Sanjay Yadav Son of Late O.P. Yadav
9. Prakash Yadav Son of Late Yogi Yadav.
10. Dhanraj Yadav Son of Late Ratilal Yadav.
11. Ram Chandra Yadav Son of Dhanraj Yadav
12. Dinesh Yadav Son of Dhanraj Yadav.
13. Bablu Yadav Son of Dhanraj Yadav
14. Ramdeo Yadav Son of Late Devilal Yadav.
15. Rajesh Yadav Son of Late Bindeshwari Yadav
16. Rabi Yadav Son of Ramdeo Yadav.
17. Manoj Yadav Son of Sri Sudeshwar Yadav. All Resident of Village- Bariyahi, Basti, P.S.-Bargaon, District-Saharsa.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Neeraj Sanidh with Mr.Subesh Sharma, Advs
For the State	:	Mr. Arbind Kumar Pandey
For the opposite parties	:	M/S Krishna Pd. Singh, Sr.Advocate with Saket Kumar Singh, Anirudh Kumar Singh, Advs

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 07-05-2019 Learned counsel for the petitioner is permitted to

make necessary correction in prayer portion of the petition in

the course of the day.



This application has been filed against the order dated 9.8.2018 passed by Sessions Judge, Saharsa, in Cr.Misc. Petition No. 52 of 2018, arising out of Bangaon P.S. Case No. 54 of 2003 in S.T. No. 164 of 2004/250/04, whereby and whereunder learned Sessions Judge has rejected the petition under Section 408 of Cr.P.C. filed by the petitioner seeking transfer of S.T. No. 164 of 2004/250 of 2004 from the court of Presiding Officer of FTC, Saharsa to the Sessions Court on the ground that in this case evidence was closed in July, 2018 but no final judgment has been passed by the trial court and further ground is that the petitioner has no confidence on the court and he gather information that the court is in collusion with the accused persons.

Heard learned counsel for the opposite party Nos. 2 to 17, who has opposed the prayer of the petitioner on the ground that apprehension of the petitioner is not well founded and no material has been brought on the record to show that the learned court is in collusion with the accused persons and pendency of the case is concerned, as the transfer application has been filed, further progress of the trial has been obstructed.

Having heard both sides and in the facts and circumstances, I do not find any merit in this application. As



such, it is dismissed.

However, since the submission that for the last one year no progress has been made in the trial, learned trial court is directed to expedite the trial and try to conclude it within a period of six months.

(Vinod Kumar Sinha, J)

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