

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76503 of 2018

Arising Out of PS. Case No.-118 Year-2015 Thana- PARASBIGHA District- Jehanabad

Rakesh Kumar Son of Sadhusaran Yadav @ Bakhori Yadav R/o Mishir. Bigha
P.S. Paras Bigha, Distt.-Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Sri Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 06-03-2019 Heard learned counsel for petitioner and the State.

Prayer for bail of the petitioner was earlier rejected by this Court by order dated 16.05.2017 passed in Criminal Miscellaneous No. 19847 of 2017 with a direction to expedite the trial and make effort to conclude the trial expeditiously preferably, within a period of 9 months from date of order of this Court without giving any unnecessary adjournment to any parties..

Report was called for from the court below which has been received. From perusal of the report, it appears that after framing of the charge not a single witness has been examined.

Learned counsel for petitioner submits that petitioner is in custody since 11.12.2015.

As per the xerox copy of the order sheets, it appears



that no serious action has been taken by the court below for examination of the witnesses. Despite specific direction of this Court, long dates have also been given for examinations of the witnesses.

In the written report there is specific allegation against this petitioner of firing on the husband of the informant by pistol on his temple on account of which he died on the spot.

Therefore, keeping in view the specific allegation against the petitioner, this Court is not inclined to grant bail to this petitioner at this stage. Accordingly, prayer for bail made on behalf of the petitioner is rejected. However, the court below is directed to conclude the trial of this case on priority basis and make all efforts to dispose of the same within a period of nine months from the date of receipt of copy of this order either by fixing the case on day to day basis or by giving short adjournments. The petitioner will be at liberty to renew prayer of bail in the event trial is not concluded within the aforesaid period.

(Sanjay Priya, J)

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