

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43969 of 2019**

Arising Out of PS. Case No.-86 Year-2016 Thana- FULKAHA District-
Araria

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BHUBAN YADAV, aged about 48 years, male, Son of Sukhay Yadav
Resident of Village - Achara, P.S.- Fulkaha, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mrigendra Kumar, Advocate.

For the Opposite Party: Mr. Ajay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt on behalf of the petitioner, who is in custody since 24.08.2016 and has renewed his prayer for bail in connection with Sessions Trial No. 174 of 2017 arising out of Fulkaha P.S. Case No. 86 of 2016 for the offence alleged under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act having twice been rejected by orders dated 22.09.2017 and 03.10.2018 in Criminal Miscellaneous No. 36856 of 2017 and Criminal Miscellaneous No. 57168 of 2018, respectively.

3. Pursuant to order dated 17.07.2019 status report has been received from the Additional District & Sessions Judge dated 22.07.2019, according to which, *inter alia*, learned APP had



not been able to produce witnesses, NBW to witnesses have been issued and Dasti Summons also issued to witnesses. The case has been directed to be fixed on priority basis.

4. Considering the petitioner is alleged to be the one of the main assailants having fired from pistol on the back of the deceased, this Court is not inclined to grant the privilege of bail to the petitioner.

5. The petition is dismissed with the observation that the learned Trial Court to take up the matter for expeditious disposal by concluding the trial preferably within a period of one year.

(Vikash Jain, J)

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