

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41769 of 2018**

Arising Out of PS. Case No.-77 Year-2016 Thana- CHAND District- Kaimur (Bhabua) *

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Prakash Yadav Son of Jai Ram Yadav, Resident of village- Duguthua, P.S.-
Chand, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Sri Panchanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 27-03-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with S.Tr.
No. 509 of 2016 arising out of Chand P.S. Case No. 77 of 2016
for the offence under Sections 307, 341, 323, 324, 504 ,34
and 302 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that earlier the prayer for bail of this petitioner had
been rejected by this Court vide order dated 07.02.2018
passed in Cr. Misc. No. 57665 of 2017 with a direction to
conclude the trial within a period of three months from the
date of receipt of the order dated 07.02.2018 but the trial
has not yet been concluded as yet even after extension of



time by further three months and the petitioner is rotting in judicial custody since 28.07.2016.

Learned A.P.P. has opposed the prayer for bail and submitted that from the report received from the Additional Sessions Judge-1st, Kaimur at Bhabhua, it appears that all prosecution witnesses have been examined except the accused, who might have been examined on 08.03.2019 and the case is at the fag end of Judgment.

Considering the facts and circumstances of the case and in view of the fact that the trial is almost concluded and the case is kept for judgment, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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