

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79022 of 2018

Arising Out of PS. Case No.-44 Year-2017 Thana- MAHESHKHUNT District- Khagaria

Shivdani Yadav S/o Murli Yadav R/v-Baraitha, P.S-Gogari, Distt.-Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 15-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 307/302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act in connection with Maheshkhunt P.S. Case No. 44 of 2017.

Earlier prayer for bail was refused on 27.03.2018 in Cr. Misc. No.5292 of 2018.

Learned counsel for the informant is appearing in this case. He submits that after framing of the charges he would produce all the private witnesses of the occurrence within two months from the date of framing of the charges.

The report of the learned trial Judge would reveal that the trial is at the stage of charge. It is expected that the charges must be framed. After framing of the charges, the learned trial-court proceed



with the trial day to day basis without allowing any adjournment to any of the parties. The order has been passed in presence of the learned counsel for the informant. Hence, no separate persuasion is needed besides legal formalities.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused.

(Birendra Kumar, J)

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