

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5140 of 2020

Arising Out of PS. Case No.-208Year-2017 Thana- Parasbigha District-Jehanabad

=====

Mahesh Yadav, aged about 45 years, Male, Son of Late Ambika Prasad, resident of village – Harpura Bulaki Bigha, P.S. - Jehanabad (O. P. - Karouna), District – Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Nityanand Niraj, Advocate
For the informant	:	Mr. Prashant Kumar, Advocate
For the Opposite Party No.	:	Mr. Amit Kumar Rakesh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

04. 24.08.2020 Heard Mr. Nityanand Niraj, learned counsel for the petitioner; Mr. Prashant Kumar, learned counsel for the informant; and Mr. Amit Kumar Rakesh, learned APP for the State.

The petitioner seeks bail in connection with Sessions Trial No. 369 of 2019 / 34 of 2019, arising out of Parasbigha P. S. Case No. 208 of 2017, dated 12.12.2017, instituted for the offences under Sections 147, 148, 149, 341, 342, 448, 458, 323, 325, 504, 506, 307 and 302 of the Indian Penal Code and Section 27 of the A



It appears from the F.I.R. that several persons surrounded the house of the informant and assaulted all the brothers of the informant. Three persons are said to have been killed in the occurrence.

Though some of the accused persons have been granted bail, but according to the learned counsel for the informant, they were put on trial and were convicted. After the conviction, in their appeals also, they have not been granted bail.

The learned counsel for the petitioner however has submitted that the main dispute was between Lali Yadav and the other accused persons.

The petitioner only happens to be maternal nephew of one of the main accused persons.

However, regard being had to the fact that he is also specifically attributed with the role of assaulting one of the deceased persons, I am not inclined to grant bail to him for the present.

But looking at the custody of the petitioner, which



is from 13.03.2019, this Court directs that the trial of the petitioner be expedited and concluded within a period of nine months from the date of receipt/production of a copy of this order.

In case the trial is not concluded within the aforesaid period, the petitioner would have the liberty to approach the trial court and seek bail during the pendency of the trial. The trial court in that event would be required to record reasons for not concluding the trial within the aforesaid period.

With the aforesaid direction / observation, this petition stands disposed off.

(Ashutosh Kumar, J)

skm

U		T	
---	--	---	--

