

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23748 of 2020

Arising Out of PS. Case No.-116 Year-2018 Thana- NAUGACHIA District- Bhagalpur

BRAJESH YADAV @ LADHA YADAV Son of Late Sattan Yadav Resident
of Village- Bhawanipur, P.S.- Gopalpur (Rangra), Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Ram Chandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sessions Trial No.873 of
2018 arising out of Naugachia P.S. case No.116 of 2018
registered under Sections 147, 148, 149, 302, 120(B) of the
Indian Penal Code and 27 of the Arms Act, pending in the court
of Additional District and Sessions Judge 3rd at Naugachia,



District Bhagalpur.

The earlier bail application of the petitioner was rejected vide Annexure 1 to the present application taking into account that the three accused persons including the petitioner were said to have fired upon the deceased and in the postmortem report also the fire arm injuries were found. Hence the petitioner was one of the assailants.

A report was called for from the trial court. It has been reported that due to non-appearance of co-accused, the trial is not proceeding.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

The District Magistrate, Bhagalpur and the Superintendent of Police, Naugachia are also directed to take necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District



Magistrate, Bhagalpur and the Superintendent of Police,
Naugachia.

(Sudhir Singh, J)

Narendra/-

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