

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75274 of 2019

Arising Out of PS. Case No.-4 Year-2017 Thana- BANKA District- Banka

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Dinesh Yadav Son of Late Bhuma Yadav Resident of Village - Gorra, P.S.-
and Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 31-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Banka P.S. Case No. 4 of 2017 corresponding to Sessions Trial No. 258 of 2018**, registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

There was love affair between the Janardan Yadav (deceased) and Rekha Kumari daughter of this petitioner. The informant is sister-in-law (Bhabhi) of the deceased. The informant alleged that on 02.01.2017, the deceased and daughter of this petitioner eloped. Petitioner and his family members assured them of marriage and asked them to return. As such, both of them returned on 05.01.2017. Thereafter, this petitioner and his family members tied Janardan Yadav (deceased) with rope in from a tree and assaulted him by means of iron rod and lathi, as a result of which he succumbed to injury. All the



accused persons forcibly took away the dead body and cremated him at some hidden place and also threatened to kill informant's family member.

Earlier the bail application of this petitioner was rejected by this court vide order dated 18.07.2018 passed in Cr. Misc. No. 23177 of 2018 with observation to conclude the trial within a year and if the same is not concluded within the stipulated period, the petitioner may renew his prayer for bail. On earlier occasion stage of trial was called for, which has been received vide letter no. 131 dated 13.12.2019 (flax 'X'), from which it appears that charge was framed against all the three accused persons and summons were issued against all the witnesses, despite all efforts, no witnesses has yet turned up for examination.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, the trial court is directed to expedite the trial and conclude the same within a period of six months from today.

(Prabhat Kumar Singh, J)

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