

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80964 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- MURLIGANJ District- Madhepura

PRINCE KUMAR YADAV @ PRINCE KUMAR Son of Manoj Yadav @
Domi Yadav @ Manoj Kumar Resident of Village - Bariyahi, Ward No. 6,
P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-05-2020 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.

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

The petitioner seeks bail in Murliganj P.S. Case No.
59/2018 (S. Tr. No. 127 of 2018) instituted for the offences
under Section 302/34 of the Indian Penal Code and 27 of the
Arms Act.

The earlier bail application of the petitioner was
rejected vide Annexure-1 to the present application taking into
account that petitioner was one of the assailants who fired upon



the deceased. The said allegation is supported by the witnesses whose statements have been recorded in paragraphs 29 and 30 of the case diary. The post-mortem report also corroborates with the allegation made in the F.I.R.

A report was called for from the Trial Court. It has been reported that summons, bailable warrant and non-bailable warrant have already been issued upon the prosecution witnesses but they have not appeared. It is further reported that if the prosecution witnesses cooperate, the trial may be concluded within a period of three months.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 within a period of nine months preferably on day to day basis from the date of receipt/production of a copy of this order.

The District Magistrate, Madhepura and the Superintendent of Police, Madhepura are also directed to take necessary steps to produce the remaining witnesses on the date fixed in the Trial Court so that the trial could be concluded



within the stipulated period.

Let this order be communicated to the District
Magistrate, Madhepura and the Superintendent of Police,
Madhepura.

(Sudhir Singh, J)

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