

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14675 of 2021

Arising Out of PS. Case No.-27 Year-2013 Thana- BARIYARPUR District- Munger

1. RAJESHWAR YADAV Son of Late Nago Yadav Resident of Village- Jhausa Bahiyar, P.S.- Bariyarpur, District- Munger.
2. Vikash Yadav Son of Late Nago Yadav Resident of Village- Jhausa Bahiyar, P.S.- Bariyarpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

3 22-09-2021

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 302/201/120(B)/34 of the Indian Penal Code.

Earlier also, petitioners had moved this Court for grant of regular bail which was rejected vide Annexure 1 with a direction to the court below to conclude the trial within one year.

Informant in his written complaint has stated that on 23.03.2013 at about 5.10 PM his son Ashok Yadav was returning after attending last rites of one villager on tractor alongwith his another son, elder brother and other villagers when FIR named accused Mrintunjay Yadav, Mukesh Yadav,

Vikash Yadav (petitioner no.2), Rajeshwar Yadav (petitioner no.1) all sons of Nago Mandal, Anil Mandal, Goda Mandal, Santa Mandal and Pulkit Mandal variously armed forcibly stopped the tractor near house of accused Santa Yadav and pulled him down from tractor and dragged him into the maize crop field and Mritunjay Yadav and Santa Mandal threatened others not to come forward and thereafter FIR named accused killed his son by chopping his Head from the body and they also took away the chopped head.

Vide order dated 28.07.2021, a report was called from court below with regard to stage of the trial. The report of the court below has come which is kept at Flag X, in which, it has been stated that the trial is expected to be concluded within three months, if no hindrance is caused.

In view of above and since the trial is at the verge of its final conclusion, the prayer for bail of the petitioners is hereby rejected. However, the trial court is directed to conclude the trial within three months, as stated in the report of court below.

(S. Kumar, J)

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