

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30871 of 2020

Arising Out of PS. Case No.-33 Year-2018 Thana- BIHARIGANJ District- Madhepura

ABHAY KUMAR YADAV Son of Bhimnarayan Yadav Resident of Village-
Kushthan, P.S.- Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Shailendra Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

The petitioner seeks bail in a case registered under
Sections 323, 341, 307, 120(B), 504, 506, 34 of the Indian Penal
Code and 27 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that
the petitioner fired upon the deceased which led to his death.

A report was called for from the trial court. It has been
reported that out of 16 prosecution witnesses, seven prosecution



witnesses have already been examined. The trial is likely to be concluded within four months.

Considering the nature of accusation and stage of the case, I am not inclined to release the petitioner on bail. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 136 of 2019 arising out of Bihariganj P.S. Case No. 33 of 2018 is rejected.

Learned trial court is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of copy of this order.

The District Magistrate and the Superintendent of Police, Madhepura are directed to ensure the production of witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period of six months.

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

(Sudhir Singh, J)

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