

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7973 of 2021**

Arising Out of PS. Case No.-1 Year-2013 Thana- DUMARIYA District- Gaya

MAHESHI YADAV @ RAGHUBANS JI S/O Late Makhu Yadav Resident
Of Village - Kathautia, Jhanjhi, P. S. - Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr Choubey Jawahar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 **13-09-2021** This case has been taken up today for consideration
through Video Conferencing.

Heard Mr Arvind Kumar Singh, learned counsel for
the petitioner and Mr Choubey Jawahar, learned Additional
Public Prosecutor (for brevity, *APP*) appearing for the State of
Bihar.

Five unknown persons have allegedly kidnapped the
informant's son. The dead body has been found, the next day.

Learned counsel for the petitioner submits that merely
on suspicion and due to his criminal antecedents, the petitioner
has been implicated in this case. He is on bail in three out of the
five cases, pending against him since before, as per details
contained in paragraph 3 of the application.



Learned APP has submitted that it is a case of 2013. The petitioner, as per the investigation, appears to be member of an extremist organization. He has been brought to the proceedings by arrest on 23.04.2019, about six years after the occurrence. Most co-accused persons are still absconding and to facilitate trial of the instant petitioner, the trial was split under order dated 06.09.2021. This is the position emerging from the report of Sub Divisional Court, Sherghati, pursuant to the earlier orders of this Court in these proceedings. It is further submitted that in the investigation, several persons have supported the allegations against the petitioner.

Considering the rival submissions and having regard to the antecedents of the petitioner in other offences including the instant one, this Court is inclined to accept the submissions made by the learned APP.

Prayer for bail is rejected for the present.

The trial Court, however, should take steps to dispose of the case by concluding the trial expeditiously, without any undue delay and without granting unnecessary adjournments.

(Madhuresh Prasad, J)

M.E.H./-

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