

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27146 of 2022

Arising Out of PS. Case No.-237 Year-2019 Thana- KISHUNPUR District- Supaul

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Santan Kumar @ Madan Yadav, aged about 29 years, Male, son of Jagdish Yadav @ Tunay Yadav, Resident of Village - Barahatha, P.S.- Kishanpur, District – Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate
For the Opposite Party : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. 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.

Earlier bail applications of the petitioner were rejected vide Cr. Misc. No. 29904 of 2020 under order dated 05.01.2021 and Cr. Misc. No. 33399 of 2021 under order dated 29.09.2021, annexed as Annexures-1 and 1/1 to the present application taking into account that the petitioner had participated in the abduction of the victim. Later on, dead body of the deceased



was recovered. As per Section 106 of the Evidence Act, the onus is on the petitioner to explain the cause of death of the deceased.

This is third attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the present stage of the case. It has been reported that five prosecution witnesses have already been examined and the trial is likely to be concluded within a period of six months.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 196 of 2020, arising out of Kishanpur P.S. Case No. 237 of 2019, pending in the court of learned Additional Sessions Judge-V, Supaul.

The court below 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 a copy of this order.

The District Magistrate and the Superintendent of Police, Supaul, are also directed to ensure that the prosecution witnesses are produced on the date fixed in the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the



District Magistrate and the Superintendent of Police, Supaul.

(Sudhir Singh, J)

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