

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48929 of 2021

Arising Out of PS. Case No.-148 Year-2020 Thana- DHANAHA District- West Champaran

RADHESHYAM YADAV Son of Ramsurat Yadav Resident of Village- Gola
Tola, Madhubani, P.S.- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-03-2022 A supplementary affidavit is filed on behalf of the
petitioner. The same is taken on record.

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 201 and
34 of the Indian Penal Code.

As per the prosecution case, the sister of the
informant who was married to the petitioner herein was done to
death by the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case only
for the reason that he happens to be the husband of the



deceased. The examination of witnesses proceeded in the trial. Referring to the deposition of the prosecution witness nos.1 to 5, certified copy of which has been brought on record in the supplementary affidavit filed today, it is submitted that none of the five prosecution witnesses have supported the prosecution case. The petitioner is in custody since 6.7.2020 and has no criminal antecedent.

Further, a report has been received from the learned trial court contained in letter dated 5.3.2022 of the learned Additional Sessions Judge I, Bagaha, West Champaran wherein it has been stated that out of the eight chargesheet witnesses, seven have been examined and cross-examined. The Investigating Officer of the case has not been examined and the next date fixed is 14.3.2022.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the progress in the trial, the Court is not inclined to enlarge the petitioner on bail for the present and the application is rejected.

Learned trial court is directed to expedite the trial and conclude the same within three months of communication of this order.



In case for any reason the trial is not concluded within three months, the learned trial court will consider the application for bail, if filed by the petitioner, on its own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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