

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30423 of 2014**

Arising Out of PS.Case No. -237 Year- 2013 Thana -ALOU LI District- KHAGARIA

=====

Sunil Yadav Son of O.P. Yadav @ Upendra Yadav Resident of village-  
Jhakhra, P.S.- Alauli, District- Khagaria

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Jitendra Narain Sinha

=====

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

3 23-06-2015

Heard learned counsel for the petitioner.

No one appears on behalf of the State.

The petitioner seeks bail in Alauli P.S. Case No. 237  
of 2013 registered under section 302/34 IPC and section 27 of the  
Arms Act.

As per the prosecution case, the husband of the  
informant was taken away by one lady. He reached home few  
hours thereafter with the injuries caused on his hand and leg. It is  
alleged that he disclosed the name of the petitioner and others who  
had assaulted him with fire-arms. In course of treatment the  
husband of the informant died.

Counsel for the petitioner submits that there is delay in  
lodging the case inasmuch as no statement was made by the lady

while her husband was taken to PMCH. In fact, there is no eye-witness to the occurrence. It is submitted that petitioner is languishing in jail since 28.03.2014.

From the materials on record, prima facie, it appears that the deceased before succumbing to his injuries named the petitioner as one of the accuseds who had assaulted him which ultimately caused his death. The petitioner also appears to have carried criminal antecedent.

Considering the aforesaid fact, I am not inclined to enlarge the petitioner on bail. His prayer is refused.

This Court however grants the petitioner liberty to renew his prayer for bail if the trial of the case does not record adequate progress within nine months from the date of receipt/production of a copy of this order in the court below.

**(Kishore Kumar Mandal, J)**

HR/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|