

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.317 of 2015

Arising Out of PS.Case No. -192 Year- 2012 Thana -FATEHPUR District- GAYA

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Bishundhari Yadav son of Late Ghutar Yadav resident of village - Rato,
Police Station - Fatehpur in the district of Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd Singh, Sr. Advocate.

For the Opposite Party/s : Mrs. Anuradha Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 23-06-2015

Heard both sides.

The petitioner seeks bail in a case under Section 302 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant named the petitioner along with other accused persons and alleged that firstly Raju Yadav fired which hit her husband. Bishundhari Yadav (the petitioner), Mirchan Yadav, Karu Yadav, Jhari Yadav, Umesh Yadav, Sanju Yadav assaulted her husband with sharp-edged weapons.

Sri Akhileshwar Pd. Singh, learned Senior Counsel for the petitioner, submits that Damodar Yadav, brother of the deceased, made his statement after the death of the deceased but did not make any allegation against the petitioner.

Raju Yadav is alleged to have made repeated firing.

It appears that the petitioner along with Mirchan Yadav, Karu Yadav, Jhari Yadav, Umesh Yadav and Sanju Yadav are alleged to have assaulted the deceased with sharp-edged weapons. During the course of investigation, witnesses have supported the case and from perusal of the post-mortem report, it appears that altogether 10 injuries were found on the person of the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Fatehpur P.S. Case No. 192/2012. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt / production of a copy of this order. If the trial is not concluded within nine months without any fault of the petitioner, the petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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