

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8942 of 2016

Arising Out of PS.Case No. -47 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

1. Arvind Yadav @ Baua Yadav Son of Sri Bhumi Prasad Yadav @
Bhuneshwari Prasad Yadav @ Bholi Yadav Resident of village - Arraha,
P.S. Saur Bazar, District - Saharsa.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Anil Kumar Singh (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 22-04-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Saur
Bazar P.S. Case No. 47 of 2014 registered for the offences
punishable under Sections 302/34, 120B of the Indian Penal Code
and Section 27 of the Arms Act.

Allegedly, after hearing the sound of firing the
informant went there and saw the petitioner having pistol in his
both hands and Tarini Yadav son of the petitioner has fallen on the
road and along with the petitioner there were other co-accused
also and when the informant wanted to go there, the petitioner ran
towards the informant resulting he raised alarm and started fleeing
away and after sensing assemblage of villagers, the accused
persons fled away, the son of the informant was found dead.

Submission is of false implication and that due to earlier dispute the petitioner has been implicated, other co-accused has been allowed bail, during trial several witnesses have turned hostile and have not supported the prosecution version, the informant has also filed petition in the court below showing innocence of the petitioner and others and without any tangible material the petitioner is suffering in custody since 11.11.2014 to which learned APP duly assisted by learned counsel for the informant opposes by submitting that the informant has not filed any such petition and the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, considering that the petitioner was seen having pistol in his both hands and the son of the informant was found shot dead having injury in his rib cage and further the petitioner ran towards the informant also and as such this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same preferably within six months.

(Jitendra Mohan Sharma, J)

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