

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22097 of 2016

Arising Out of PS.Case No. -127 Year- 2015 Thana -SARE District- NALANDA
(BIHARSHARIFF)

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Gorelal Yadav S/o Jehal Yadav R/o Vill- Dullabigha, P.S.- Sare, Distt-
Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Satyaverat Verma(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 04-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sare P.S.
Case No. 127 of 2015 registered for the offences punishable under
Sections 147, 149, 447, 323, 504, 307 and 302 of the Indian Penal
Code.

In the First Information Report, there is allegation
against the petitioner that he shot Bindeshwar Yadav, the father of
the informant, which hit his thigh, resulting he became
unconscious and fell down. During treatment, Bindeshwar Yadav
died.

Submission is of false implication and that during
investigation witnesses Reeta Devi, Ashok Yadav, Reena Kumari,

the daughter of the deceased and Gautam Kumar vide para-33, 34, 35 and 37 have stated that Suryakant Yadav shot Bindeshwar Yadav, there is no allegation that petitioner assaulted on vital part, without any fault he is suffering in custody since 05.12.2015 and as such he deserves sympathetic consideration.

Learned A.P.P. duly assisted by learned counsel for the informant opposed the prayer of bail by submitting that the informant and injured Nageshwar Yadav have stated that the petitioner shot Bindeshwar Yadav and those two witnesses are reliable.

In the facts and circumstances stated above, considering that in the F.I.R., there is allegation against the petitioner, who has assaulted the deceased with firearm, which find supports from one of the injured witnesses namely Nageshwar Yadav and as such, at this stage, I am not inclined to enlarge the petitioner on bail. Accordingly, his such prayer stands rejected.

However, let the trial be expedited and concluded preferably within 9 months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J.)

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