

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55547 of 2015

Arising Out of PS.Case No. -225 Year- 2008 Thana -JHAJHA District- JAMUI

Sushil Yadav @ Bhujangi Yadav son of Raju Yadav, Resident of village-Banjama, P.S.- Jhajha, District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Jhajha P.S. Case No. 225 of 2008 registered for the offences punishable under Sections 147, 148, 149, 341, 302, 379, 120(B) of the Indian Penal Code and Section 27 of the Arms Act and Section 17 of the CLA Act.

Allegedly, in the occurrence co-accused Suresh Yadav shot Satandeo Yadav, the son of the informant and thereafter co-accused Karu Yadav, Sahdeo Yadav also opened fire upon him and when the son of the informant fell down then the petitioner and co-accused Natoli Yadav gave *Katta* (sharp edged weapon) blow on his neck and killed him.

Submission is of false implication and that the informant is not an eye witness, the son of the informant was killed by some-one else but due to some dispute, the petitioner has been implicated, the manner of occurrence as alleged by the informant is not true version. During trial four prosecution witnesses have been examined but they have been declared hostile and the petitioner is suffering in custody since 02.02.2015 and, as such, he deserves sympathetic consideration, to which the learned A.P.P. seriously opposes.

In the facts and circumstances stated above, considering that petitioner is also one of the assailants and, as such this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same as early as possible

(Jitendra Mohan Sharma, J)

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