

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21984 of 2017**

Arising Out of PS.Case No. -165 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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1. Niraj Yadav Son of Sri Aniruddh Yadav, Resident of Village- Kuntha,  
P.S.- Shambhuganj, District- Banka.

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Rama Kant Sharma, Sr. Adv. with  
Mr. Lakshmi Kant Sharma, Adv.

For the Opposite Party : Mr. Umesh Lal Verma, APP 146

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      22-06-2017                      Heard the learned counsel for the petitioner and the  
State.

This is a petition for grant of regular bail for offence under Sections 302, 147 and 506 of the Indian Penal Code and 27 of the Arms Act.

According to first information report, co-accused, Parsuram Yadav and Vikas Yadav, fired at Upendra Mandal causing fire arm injury. When the people started assembling after hearing sound of fire, this petitioner also caused fire arm injury to the deceased, who died.

The post mortem report would reveal that the doctor had found three fire arms wounds of entry besides wound of exit.

Submission of the learned counsel for the petitioner is that the petitioner is in custody since 09.11.2016 and no other witness has supported the aforesaid allegation against the petitioner. More over, the investigation is complete. There is no allegation of tampering with the evidence. The petitioner is ready



to cooperate with the trial.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail for the present.

The prayer for bail is **refused**.

However, the petitioner may renew prayer, if the trial is not concluded within nine months, from the date of communication of this order.

The Court below is directed to expedite the commitment and conclusion of the trial within the aforesaid period.

**(Birendra Kumar, J)**

SA/-

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