

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22575 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -BITHAN BAZAR District- SAMASTIPUR

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1. Krishna Kumar Yadav @ Barku Yadav, S/o Ram Swarath Yadav,
Resident of Village- Larjhaghat, Police Station- Bithan, District-
Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma
For the Opposite Party/s : Smt Sangeeta Sharma
For the informant : Mr. Sarbottam Kumar Sarkar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 30-06-2017 The petitioner seeks regular bail in connection with

Bithan P.S. Case No. 14 of 2016, registered for offences
punishable under Section 302 and 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

Allegation against the petitioner and other accused
persons is of firing causing death of two persons.

It has been submitted on behalf of the petitioner that
though in the F.I.R. it is alleged that petitioner has also fired,
however, the informant and one other witness in their statement
recorded under Section 164 Cr.P.C. has said that the petitioner has
not fired. Petitioner has been in judicial custody since 15.12.2016.

Heard learned A.P.P. and learned counsel for the
informant. They have opposed the prayer for bail. It has been
submitted by learned counsel for the informant that the petitioner



has suppressed the fact with regard to criminal antecedents as he has mentioned only about three criminal antecedents whereas he is accused in two more cases. Further, there is allegation of firing against this petitioner also and in the post mortem report, it has come that the deceased had got seven bullet injuries and now the trial has also begun.

Having heard both sides, considering the facts and circumstances and the nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, dismissed.

However, the trial court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself and if any such application is filed, the court below after considering the materials available on record at that time, shall pass an appropriate order, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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