

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58043 of 2017

Arising Out of PS.Case No. -271 Year- 2014 Thana -KHAJEKALA District- PATNA

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Sumit Yadav, Son of Sri Sanjay Yadav, resident of Bakshi Mohalla P.S.
Khajekalan, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 14-12-2017 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Khajekalan PS
Case No. 271 of 2014 (Sessions Trial No. 446 of 2017) registered
under Sections 147, 148, 149, 324, 307. 379. 302, 120B of the IPC
and Section 27 of the Arms Act.

The allegation in brief is that the while the informant was in
her cow-shed along with her husband in the night then all the
accused persons turned up, entered into the cow-shed and started
indiscriminate firing upon her husband causing his death. It is
alleged that petitioner Sumit Yadav, Dhiru Yadav, Ajay Yadav,
Dharmendra Yadav, Babloo Yadav and Chhotu Yadav opened fire
and another staff Prakash Kumar was also shot at by the accused
persons causing fire arm injury to him.

Learned Counsel for the petitioner submits that due to
enmity the petitioner has falsely been implicated and one Chhotu
Yadav, another co-accused, was granted bail by the court below as
he was in custody since the date of alleged occurrence in connection
with another case.

Having considered the said facts and circumstances of the



case and the specific allegation against the petitioner as well as his criminal antecedent the prayer for bail of the petitioner is rejected.

The trial court is directed to expedite the trial and conclude the same preferably within two years.

Let a copy of this order be sent to the SSP Patna to ensure production of prosecution witnesses before the trial court.

(Arun Kumar, J)

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