

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1292 of 2018

Arising Out of PS.Case No. -118 Year- 2016 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

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1. Guddu Yadav, son of Garjan Yadav, resident of Village- Basantpur, P.S.
Sathi, District West Champaran at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 18-04-2018 Heard both sides.

The petitioner seeks bail in Sathi P.S. Case No.118 of
2016 registered under Sections 302 and other Sections of the
Indian Penal Code and 27 of the Arms Act.

The prayer for bail of the petitioner was earlier rejected
vide order dated 27.04.2017 passed in Cr. Misc. No.14077 of
2017.

Learned counsel for the petitioner submits that the
petitioner is in custody since 09.09.2016. The doctor who held the
postmortem opined that the deceased died due to firearm injury.
The petitioner is alleged to have caused injury by hard and blunt
object. It is further submitted that similarly situated another



accused namely Shambhu Yadav has already been enlarged on bail vide order dated 18.03.2017 passed in Cr. Misc. No.4832 of 2017. The case of the petitioner stands on same footing.

It appears that the informant alleged that while he along with his father and uncle were sitting near Chhath Ghat, the petitioner Guddu Yadav and other accused persons including Dhrup Yadav, Rajendra Yadav, Shambhu Yadav having armed with firearms and other weapons came and Dhrub Yadav opened fire causing firearm injury in the leg of his father of the informant. Rajendra Yadav also made indiscriminate firing causing injuries to his father and uncle of the informant. The petitioner and other accused persons are alleged to have indiscriminately assaulted the father and uncle of the informant. The father and uncle of the informant died during course of treatment. It appears that it is a case of double murder. The petitioner and others assaulted both the deceased with lathi, farsha and on account of such injury both the deceased died.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The Trial Court is directed to hold the trial on day to day basis and conclude the same within 9 months from the date of receipt of this order.



The Superintendent of Police, West Champaran at Bettiah is also directed to ensure the attendance of the prosecution witnesses in the trial court in connection with S. Tr. No. 418 of 2017, arising out of Sathi P.S. Case No.118 of 2016, so that the trial must be concluded within 9 months.

If the trial is not concluded within 9 months, the petitioner may renew his prayer for bail.

Let a copy of this order be sent to the Superintendent of Police, West Champaran at Bettiah for information and needful.

(Prabhat Kumar Jha, J)

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