

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39407 of 2018

Arising Out of PS.Case No. -194 Year- 2012 Thana -MANSI District- KHAGARIA

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1. Awadh Yadav, S/o Radhe Yadav, R/o Vill.- Thatha, P.S.- Mansi,
District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha-Advocate

For the Opposite Party/s : Mr. Dashrath Mehta-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 05-09-2018

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

Informant, who is also an injured, had alleged that in the background of long standing animosity, Kailash Yadav, Krishna Yadav, Awadh Yadav (Petitioner), Ram Vinay Yadav and Bilas Yadav armed variously intercepted his son Biral Yadav near the house of Naresh Yadav and pumped bullet causing his instantaneous death. During course of post mortem, four injuries have been found over the dead body.

It has been submitted on behalf of learned counsel for the petitioner that he has been remanded in this case and since 20.09.2016, he is under custody. It has also been submitted that Paras-9, 10, 34, 44, 53, 77 are the statement of the witnesses, who



are hearsay. It has further been submitted that up-till-now charge has not been framed.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

Apart from manner of occurrence, duly substantiated by the witnesses found corroborated by the post mortem report, it is evident that the occurrence is of the dated 11.11.2012 and since thereafter, petitioner absconded and as per Para-3 of his petition, he indulged in so many criminal activities during the intervening period counting registration of five cases against him.

Accordingly, prayer for bail is rejected.

However, learned lower Court is directed to expedite the trial.

(Aditya Kumar Trivedi, J)

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