

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61462 of 2018

Arising Out of PS. Case No.-30 Year-2017 Thana- GOBARDHANA District- West
Champaran

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Baleshwar Yadav, S/o Gourishankar Yadav, Resident of Khairwa Tola, P.S.-
Gobardhana, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and the

learned counsel for the informant as well as the A.P.P. for the

State.

The petitioner seeks bail in Gobardhana P.S. Case No.
30 of 2017, instituted for the offences under Sections 341,307 of
the Indian Penal Code and Section 27 of the Arms Act.

In the written report, it is alleged that one motorcycle
rider caused fire-arm injury to the husband of the informant near
orchard while he was returning to his house.

Learned counsel for the petitioner submits that he is
not named in the FIR. The name of petitioner has been taken
for the first time in the statement of victim recorded under
Section 164 Cr.P.C.



Case diary has been received. The statement of the injured has been recorded under Section 164 Cr.P.C. There is specific allegation against this petitioner of causing fire-arm injury on the order of co-accused Himachal Yadav. The victim subsequently died after giving such statement under Section 164 Cr.P.C.

Learned counsel for the informant submits that bail of co-accused namely Himachal Yadav has already been rejected by coordinate Bench of this Court vide order dated 09.10.2018 passed in Cr. Misc. No. 48637 of 2018.

In such circumstances, this court is not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected at this stage.

The trial court is directed to expedite the trial and made effort to conclude the same as early as possible preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Sanjay Priya, J)

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