

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61938 of 2018

Arising Out of PS. Case No.-49 Year-2016 Thana- MAIN P.S. District- Gaya

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Sriram Yadav @ Shiyaram Yadav son of Late Sri Krishna Yadav, resident of
Village- Arhatpur, P.S. Main, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 29-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Main P.S. Case No. 49 of
2016 registered for the offences punishable under Sections 341,
449, 324, 307 and 302/34 of the Indian Penal Code and Section
27 of the Arms Act.

The allegation against the petitioner is to have shot
from firearm upon the wife of the informant, as a result of
which, she succumbed to the injury.

It appears that the petitioner is the main assailant who
had shot fire upon the wife of the informant causing her death.
The postmortem report also suggests that death is due to
firearm injuries. From the letter dated 19.11.2018 of ADJ VIII,
Gaya, it appears that the petitioner is facing trial and one



prosecution witness, namely, Kapil Prasad, has been examined in this case and summons and bailable warrant has already been issued against the C.S. witnesses.

Considering the facts and circumstances of the case and also in view of the fact that there is direct allegation of firing against the petitioner, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, the court below is directed to expedite the trial and conclude the same within one year from the date of receipt of the order. If the trial is not concluded within one year, the petitioner would be at liberty to renew his prayer for bail.

(S. Kumar, J)

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