

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6353 of 2019**

Arising Out of PS. Case No.-57 Year-2012 Thana- BELHAR District- Banka

=====

UMESH YADAV S/o- Late Tilak Yadav Resident of Village- Dholbandh,  
Police Station- Belhar, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      23-04-2019              Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case registered under  
Sections 147, 148, 149, 448, 302 of the Indian Penal Code.

The prosecution case, in brief, is that after entering house  
of the informant, the accused persons fired upon his son, as a  
result of which, informant's son died on the spot itself.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation  
of tampering of witnesses alleged against the petitioner. The  
petitioner is in custody since 29-10-2018. Charge sheet has  
already been submitted. The petitioner has falsely been  
implicated in the present case. There is no any circumstantial  
evidence to suggest the implication of the petitioner in the



present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The petitioner is main assailant who fired upon the deceased.

Considering the nature and manner of allegation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 1101 of 2012 arising out of Belhar P.S. Case No. 57 of 2012 is rejected.

The trial court is directed to take all necessary steps to expedite the trial and conclude the same as early as possible, preferably within a period of one year from the date of receipt/production of copy of this order.

**(Sudhir Singh, J)**

A.K.V.//-

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