

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22465 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- NAUGACHIA District- Bhagalpur

BRAJESH YADAV Son of Late Sattan Yadav Resident of Village -
Bhawanipur, P.S.- Gopalpur (Rangra), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 28-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused persons opened fired at the father of the informant due to which he sustained injuries and later succumbed to the injuries.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.7.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is no other substantive evidence to suggest his implication



in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. Three persons are alleged to have fired upon the deceased. The petitioner is one of the assailants who also fired upon the deceased in course of occurrence. The post-mortem report supports the allegation made in the F.I.R.

Considering the same, I am not inclined to grant bail to the petitioner in connection with Sessions Trial No. 873 of 2018 arising out of Naugachia P.S. Case No. 116 of 2018. The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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