

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.32065 of 2019**

Arising Out of PS. Case No.-90 Year-1995 Thana- JOGAPATTI District- West Champaran

BRIJHAN YADAV @ BIRJHAN YADAV S/o Late Guljar Yadav Resident of  
Village- Chaumukha, P.S.- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA  
ORAL ORDER**

9      03-02-2020      Heard the parties.

The petitioner seeks regular bail in connection with Sessions Trial No.192 of 2008 arising out of Yogapatti P.S.Case No.90 of 1995 registered for offences punishable under Sections 302 and 364 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner happens to be husband of the deceased and there is allegation that the petitioner in drunken condition assaulted the deceased and it further appears from the impugned order and the case diary that some witnesses have supported the prosecution case of assault to the deceased by the petitioner and another accused person.

Submission of the learned counsel for the petitioner is



that there is no eye witness of the occurrence and he is in custody for more than two years and as a matter of fact injury is from the handle of the boring, while she is fetching water.

Heard learned A.P.P. , who has opposed the prayer for bail stating that witnesses have supported the prosecution case that petitioner has assaulted in drunken condition to his wife..

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner .

Since the petitioner is in custody for more than two years, the learned trial court is directed to expedite the trial..

With the aforesaid observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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