

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19433 of 2021**

Arising Out of PS. Case No.-161 Year-2014 Thana- MUNGER MUFFASIL District- Munger

CHANIYA YADAV S/O- NAGO YADAV @ NAGESHWAR YADAV
Resident of Village- Sreethlal Tola, Tikarampur, P.S.- Muffasil, District-
Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 20-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Muffasil P.S. Case No. 161 of 2014

registered for the offences punishable under Section 302/34 of

the Indian Penal Code and Section 27 of the Arms Act, pending

in the court of learned Chief Judicial Magistrate, Munger.

As per the prosecution story, the informant has

alleged that while his father was untying the buffalo one

Krishna Yadav asked him to transfer the land, then his father

said that the land was not mutated and he will transfer the land



after mutation, thereafter Krishna Yadav along with others came at the house of the informant and one Virk Khama Devi ordered to kill him, thereupon Chaniya Devi and Gappu Yadav caught hold of his father and Dayanand Yadav fired a gun shot upon his father from a country made pistol and the father of the informant fell down, thereafter all the accused persons fled away towards Bahiyar. In course of treatment the father of the informant died.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is land dispute between the parties. Learned counsel submits that the allegation of firing is not against the petitioner, however petitioner is in custody since 01.09.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the present case is of the year 2014, prayer for anticipatory bail of the petitioner was rejected by a learned coordinate Bench of this court on 21.05.2015, but thereafter for more than five years the petitioner was absconding and has surrendered only on 01.09.2020, considering this conduct of the petitioner this Court is not inclined to grant privilege of regular



bail at this stage.

Prayer for regular bail of the petitioner is, thus,
refused.

Let the trial be expedited.

All endeavours be made by the learned trial court to
conclude the trial within a period of nine months from the date
of start of normal functioning of the court.

If the trial remains unconcluded for no reason
attributable to the petitioner, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

