

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21425 of 2020

Arising Out of PS. Case No.-39 Year-2019 Thana- FATEHPUR District- Gaya

VIKRAM KUMAR @ VIKRAM KUMAR YADAV Son of Krishan Dev Prasad Yadav Resident of Village - Salaiyakala, Tola Adharkichak, P.S.- Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand
For the Opposite Party/s : Mr. C. Jawahar, APP
For the informant : Mr. Madhav Roy, Mr. Rabindra Nath Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 02-02-2021 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Fatehpur P.S. Case No. 39 of 2019 instituted for the offences under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused persons surrounded the informant and one another and caught hold of his brother and fired at him due to which he sustained injury and later died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.12.2019. 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. The statement of the informant has not been supported by the independent witnesses in course of investigation.

On behalf of the State and the informant, it is stated that the petitioner is named in the F.I.R. The informant is an eye witness to the alleged occurrence. The petitioner is said to have fired on the head of the deceased. The post-mortem report corroborates the allegations made in the F.I.R..

Considering the facts and circumstances of the case as also the nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps 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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