

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38516 of 2021**

Arising Out of PS. Case No.-6 Year-2018 Thana- CHEWARA District- Sheikhpura

SONU YADAV @ SONU KUMAR, aged about 26 years (Male), Son of
Suresh Yadav, Resident of Village- Ekrama, P.S.- Chewara, District-
Sheikhpura.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate
For the Opposite Party : Mr. Rajendra Prasad Nat, A.P.P.

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

3 08-12-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
25.08.2018 in connection with Sessions Trial No. 15 of 2019,
arising out of Chewara P.S. Case No. 06 of 2018 in a case
registered for the offence under Sections 147, 148, 149, 323,
324, 302 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution story, in brief, is that the informant
alongwith his wife, son and others went to field for uprooting



the *Masuri Crop*, in the meantime, petitioner and other co-accused persons came to the field of the informant with *Lathi*, *Danda* and *Pistol* due to land dispute and previous enmity and co-accused Ashok Yadav caught the son of the informant and Sonu Yadav (petitioner) assaulted the son of the informant with *Iron rod* on the head and others assaulted his son with *Lathi*, *Danda* and *Rod*, as a result of which, his son died on the spot.

Earlier the bail application of the petitioner was dismissed for non-prosecution vide Cr. Misc. No. 12011 of 2019 under order dated 30.07.2019, annexed as Annexure-1 to the present application.

A report was called for from the court below regarding the present stage of the case. It has been reported that nine prosecution witnesses have already been examined and evidence of all charge-sheeted witnesses has been recorded and prosecution evidence has been closed and under Section 313 Cr. P.C., the statement of accused persons have been recorded. The defence evidence has also been closed and the case is fixed for defence argument.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 15 of 2019,



arising out of Chewara P.S. Case No. 06 of 2018, pending in the court of learned District and Sessions Judge, Sheikhpura.

The court below is directed to take all necessary steps to conclude the trial at the earliest preferably within a period of three months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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