

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30365 of 2020**

Arising Out of PS. Case No.-117 Year-2001 Thana- KURTHA District- Jehanabad

Nanha Yadav @ Dina Yadav, S/o Late Brat Yadav, Resident of Village-
Gokhulpur, P.S.- Kurtha, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijoy Nandan Sahay, Advocate
For the Opposite Party/s : Mr.Anant Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

7 27-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Kurtha P.S. Case No.117 of 2001 (Session Trial No.362/2008/81/2006) registered for the offence punishable under Sections 146, 148, 149, 341, 448, 329, 307, 302 and 120B of the I.P.C. and Section 27 of the Arms Act and Section 17 of the CLA Act, which is pending in the court of learned ADJ, F.T.C.-4, Jehanabad.

It is alleged in the F.I.R. that at least two persons have been killed and one more has sustained a firearm injury in the assault by various persons who came armed with deadly weapons and were allegedly the members of the MCC group.

Petitioner's counsel submits that the petitioner is innocent and has been implicated falsely. It is further submitted that he is in custody since 27.12.2018.

Learned APP for the State has opposed the prayer



for bail. Referring to the case diary, he has submitted that the prosecution witnesses have supported the prosecution case and sufficient material has been collected to show the petitioner's complicity in the offence. The petitioner also has criminal antecedents. The petitioner was also said to be in possession of a police rifle from which he fired upon deceased Ram Pravesh Yadav.

In view of the aforesaid circumstances, this Court, for the present, is not inclined to allow the prayer for bail. The same is rejected.

The trial court should proceed with the trial expeditiously and without undue delay.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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