

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32652 of 2020**

Arising Out of PS. Case No.-383 Year-2020 Thana- BANKA District- Banka

CHANDAN YADAV S/o- Puran Yadav Resident of Village- Simrakola, P.S.
and District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Adv.

For the Opposite Party/s : Mr.Uday Chandra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 19-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 394/302 of the Indian Penal
Code.

Prosecution case is that on 20.05.2020 informant
along with his son Chhotu Kumar had gone to Bajrangi Hat to
sale fish and at 5PM they were returning home. At 6PM, they
reached near Simrakola Pahar and saw three unknown persons
with arms out of fear the informant and his associates stopped
there cycle. One man came and asked to give money. Son of the
informant gave Rs. 12,000/-. Second miscreants went near of
Sajan Kumar in the meantime, one person fired on the hand of



the informant. Another person demanded money from Sajan Kumar and fired upon him. Sajan Kumar became injured. On hearing sound of firing people came there. thereafter, accused fled away. Both injured was referred to J.L.N.M.C.H., Bhagalpur where Sajan Kumar declared dead.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is not named in the FIR and there is no recovery from the possession of the petitioner. He submits that on the confessional statement of co-accused Narottam Choudhary, he has been made accused in this case. He further submits that petitioner is languishing in judicial custody since 03.06.2020.

However, learned APP for the State vehemently opposes the prayer for bail and submits that in para-9 and 10 witnesses have supported the prosecution story.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his payer for bail is rejected at present in connection with Banka P.S. Case No. 383 of 2020 pending before the court of the learned C.J.M., Banka.

Accordingly, the application is dismissed. However,



the learned court below is directed to conclude the trial within
one year.

(Anjani Kumar Sharan, J)

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