

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10556 of 2021**

Arising Out of PS. Case No.-207 Year-2020 Thana- ALOULI District- Khagaria

Lachhatar Yadav Son Of Vilayatu Yadav Resident Of Village- Hathwan, P.S.-
Alauli, District- Khagaria Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar,Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh,APP

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

4 21-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Amit Kumar Rakesh, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Alauli P.S. Case No. 207 of 2020 registered for the offences punishable under Sections 341, 323, 504, 307 of the Indian Penal Code and Section 27 of the Arms. Act. He is in custody since 25.07.2020.

Learned counsel for the petitioner submits that as per the prosecution story, this petitioner had fired on the chest of the son of the informant and when the son of the informant was trying to flee away in injured condition, this petitioner chased thereafter some co-villagers assembled, the petitioner fled away

thereafter.

Learned counsel submits that it is a case of false implication of the petitioner, both the parties are own gotiyas and in relation they are cousin brother. It is submitted that chargesheet has already been filed, hence, the petitioner may be released on bail.

Learned APP for the State has opposed the prayer for regular bail of the petitioner and submits that this petitioner is the sole accused in this case, there is a specific allegation of firing by pistol on the chest of the son of the informant, the injury report fully corroborates the allegation and in paragraph '37' of the case diary injury with blackening mark suggesting firing from close range has been recorded. The injury is grievous in nature and bullet was found in the abdominal.

Considering the facts and circumstances of the case, the seriousness of the direct allegation against the petitioner and the kind of material suggesting grievous injury caused to the victim from close range on vital part of his body, this Court is not inclined to release the petitioner on bail at this stage. The 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 one

year from the date of start of physical functioning of the court.

If the trial remains unconcluded within a period of one year for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.