

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10152 of 2021

Arising Out of PS. Case No.-92 Year-1995 Thana- NAWANAGAR District- Buxar

=====

BHIRGO YADAV @ BHRIGU YADAV @ BHRIGUNATH YADAV SON
OF RAMGATI YADAV R/O VILLAGE- MANAHATHA, P.S.-
NAWANAGAR, DISTRICT- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case of the year 1995 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., the four named accused persons including Vikram Yadav who was standing threatened that he should stop doing *pairvi* and deposing in the case against them. The altercation increased and it is stated that the accused persons caught hold of Shivjee Paswan and Vijay and shot Vijay as a result of which he fell down and died in course of treatment.



It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. His name transpired in course of investigation only on the ground that he also used to visit the house of Sidheshwar Mishra whose wife was of a loose character. The petitioner is in custody since 28.1.2020.

Heard learned A.P.P. for the State.

A report was called for from the learned Court below with respect to the stage of trial and as per the report received co-accused Ketan Yadav has been acquitted by judgment dated 16.4.2008. Charge has been framed against the petitioner on 4.3.2020 and the case is pending for evidence.

Having heard learned counsel for the parties and taking into consideration the fact that in the F.I.R. of 1995, the petitioner continued to abscond till he was taken into custody on 28.1.2020, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned Trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

