

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3588 of 2022

Arising Out of PS. Case No.-751 Year-2020 Thana- KHAJANCHI HAT District- Purnia

=====

Ashish Yadav @ Ashish Kumar Yadav Son Of Kamanand Yadav Resident Of
Village- Belsara, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 5498 of 2022

Arising Out of PS. Case No.-751 Year-2020 Thana- KHAJANCHI HAT District- Purnia

=====

Rajeev Yadav @ Rajeev Kumar S/O Shailendra Kumar R/O Village-
Bawanbigha, P.S.- K. Hat, District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3588 of 2022)

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Brajendra Nath Pandey

(In CRIMINAL MISCELLANEOUS No. 5498 of 2022)

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 28-11-2022 Heard Ld. counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in connection with S.T.
No. 254 of 2021/CIS No. 254 of 2021 arising out of K. Hat
P.S. Case No. 751 of 2020, registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 302,



324, 307 and 427 of I.P.C.

The prosecution story as emerges form the FIR is that the petitioners along with his associates brutally assaulted the son of the informant, due to which he died.

Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. They further submit that the informant is not the eye-witness of the alleged offence. He further submits that there is no motive attributed to the accused-petitioners in committing murder. They further submit that investigation in this case is complete and charge-sheet has already been submitted.

The petitioner, namely, Ashish Yadav @ Ashish Kumar Yadav has been languishing in jail since 09.06.2021 and petitioner, namely, Rajeev Yadav @ Rajeev Kumar has been languishing in jail since 18.11.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner, namely, Ashish Yadav @ Ashish Kumar Yadav has never moved before this Court for grant of anticipatory bail or regular bail whereas petitioner, namely,



Rajeev Yadav @ Rajeev Kumar has moved this Court for anticipatory bail vide Cr. Misc. No. 31348 of 2021.

It has further been stated that in paragraph no. 3 that the petitioner, namely, Ashish Yadav @ Ashish Kumar Yadav has has been made accused in two more cases and the petitioner, namely, Rajeev Yadav @ Rajeev Kumar has no criminal antecedent.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioners for bail submitting that the alleged offence is very serious in nature.

Considering the aforesaid facts and circumstances, particularly the nature of offence, I am not inclined to enlarge the petitioners on bail at this stage.

The application stands rejected accordingly.

However, if the trial is not concluded within a period of six months, the petitioners may renew their prayer for bail.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the



certified copy of this order only after removal of office
objections.

(Jitendra Kumar, J)

ramesh/-

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

