

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15388 of 2022

Arising Out of PS. Case No.-270 Year-2017 Thana- SHEKHPURA District- Sheikhpura

Shiv Kumar Yadav, Son of Ramji Yadav @ Ramji Gop, Resident of village -
Gagri, P.S.- Sheikhpura (Sirari O.P.) and District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 25-08-2022 Heard Mr. Manish Kumar No.2, learned counsel
appearing on behalf of the petitioner and Mr. Arun Kumar
Pandey, learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Sheikhpura (Sirari O.P.) P.S. Case No. 270 of 2017 for the
offence punishable under Sections 342, 326, 307 and 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of commission of
murder of the son of the informant in broad day light. Informant
is the eye witness of the occurrence.

Learned counsel appearing on behalf of the petitioner



submitted that no offence has been committed as alleged in the F.I.R. The post mortem does not support the allegation levelled against the petitioner. The petitioner has been implicated in the case due to enmity.

Learned APP has vehemently opposed the prayer for grant of bail to the petitioner. He submitted that the informant who is the eye witness has alleged that the petitioner had fired upon the son of the informant which resulted into death. Eye witnesses have supported the prosecution case and there are materials against the petitioner which has been collected in course of investigation.

Taking into consideration the fact that the petitioner is the direct assailant, the Court is not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is rejected.

The trial court is directed to conclude the trial expeditiously.

Superintendent of Police, Sheikhpura is directed to produce all the prosecution witnesses on the date fixed by the trial court without fail.

If the prosecution fails to make their attendance and deliberately delays the trial, the petitioner will be at liberty to



renew his prayer for bail.

(Purnendu Singh, J)

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