

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16007 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- AANDAR District- Siwan

SUDHIR KUMAR @ SUDHIR KUMAR YADAV S/o Vidyanand Yadav
Resident of Village- Madeshilapur, P.O. and P.S.- Ander, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Tiwari Mr. Krishna Prasad Singh
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava
For the Informant	:	Mr. Milind Kumar Mishra Mr. Yogendra Tiwari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 30-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 302 read with 34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, a miscreant shot on the head of the informant's wife while the informant along with his wife was going to their house on a motorcycle.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case on mere suspicion. The petitioner has clean antecedent as stated in para 3 of the bail petition. The F.I.R. was lodged against unknown miscreant. The petitioner is the husband of the deceased. He has no concern with the alleged offence and the petitioner was residing with his wife cordially. The name of the petitioner has sprung up during the course of investigation. The petitioner is in custody since 15.01.2022.

Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that the petitioner had love affair with his sister-in-law (saali) and there was estranged relationship between the husband and the wife. There is sufficient material in the case diary which shows that during the course of investigation it has come in light that the petitioner himself shot his wife dead.

Considering the aforesaid facts and circumstances of the case as well as the specific allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within nine months.

The bail application is rejected.

(Chandra Prakash Singh, J)

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