

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22742 of 2022

Arising Out of PS. Case No.-119 Year-2020 Thana- MOUZAHDIPUR District- Bhagalpur

Chanik Yadav Son of Sri Mahendra Yadav Resident of Kutubganj, P.S.-
Mojahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 31-08-2022 Let the defects, as pointed out by the Office, be
removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned
APP for the state.

Petitioner seeks regular bail in connection with
Sessions Trial No. 13 of 2022 arising out of Mojahidpur
(Babarganj) P.S. Case No. 119 of 2020 lodged under Sections
302/34 of the Indian Penal Code read with Section 27 of the
Arms Act, subsequently Section 120B of I.P.C. has been added.

As per the prosecution, the allegation of committing
the offence is against 4 named persons. The allegation upon the
present petitioner and one Pramod Yadav to caught the son of
the informant whereas the allegation against Karku Yadav and
Jaiki Yadav is to fire on the son of the informant, in result the
son of the informant died.

Learned counsel for the petitioner submits that petitioner has not fired upon the deceased. He further submits that charge has been framed in this case and petitioner is in custody since 18.09.2021. He also submits that petitioner has clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that there is a direct allegation against the present petitioner with other accused in commission of the murder of son of the informant.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner. However, the petitioner may pray for bail after one year of framing of charge.

Trial court is also directed to conclude the trial at the earliest, preferably within 1 year from the date of framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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