

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48518 of 2021**

Arising Out of PS. Case No.-63 Year-2020 Thana- SISWAN District- Siwan

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Guddu Yadav S/O- Late Daroga Yadav Resident of Village- Ramgarh, P.S.-
Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 10-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

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

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 34 of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, in brief, is that accused
petitioner Guddu Yadav was having affair with a girl of the
village of informant which was in the knowledge of Chhathu
Prasad the brother of the informant. It is further alleged that on
11.04.2020 at 11:00 A.M. Guddu Yadav intimidated the brother
of the informant that he has spread his affair in the village and



on that day when Chhathy Prasad was sitting near the well then informant saw that four persons on two motorcycle came there and on one motorcycle accused petitioner Guddu Yadav and Bhupendra Yadav having guns in their hand, suddently Guddu Yadav fired twice upon the informant's brother Chhathu Prasad on his chest due to which he fell down and he was taken to hospital but he died on the way.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that as per allegation the petitioner has fired upon deceased Chhathu Prasad and he died.

Learned APP for the State vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner and the postmortem report also support the allegation as alleged in the F.I.R.

Vide order dated 11.04.2022 a report was called for with regard to the present stage of the trial. The report reveals that the charge has been framed on 24.03.2021 and the case is fixed for prosecution evidence.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection



with Sessions Trial No. 187 of 2020 arising out of Siswan
(Chainpur O.P.) P.S. Case No. 63 of 2020 pending in the Court
of learned Additional Sessions Judge-IX, Siwan.

Prayer is refused.

(Rajesh Kumar Verma, J)

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