

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60628 of 2021**

Arising Out of PS. Case No.-133 Year-2019 Thana- PARAIYA District- Gaya

CHANESHSAR YADAV @ CHANDESHWSAR YADAV S/o- Balchand
Yadav Resident of Village- Sikandarpur, P.O.- Dharamshala, P.S.- Paraiya,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 26-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Paraiya P.S. Case No. 133 of 2019 registered for the alleged offences under Sections 302, 307 and 34 of the Indian Penal Code.

The prosecution case is that on account of previous enmity, the petitioner and other co-accused persons murdered the husband of the informant by hanging him from a tree.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. There is no specific allegation against the petitioner for any overt act. The allegations are mostly general and omnibus. Learned counsel further submits that the husband of the informant committed suicide due to misbehaviour of the informant and informant falsely implicated the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 28.02.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that all the witnesses in the case diary have supported the prosecution case and the petitioner has been named in the FIR and there is specific allegation against him in the FIR itself. Post-mortem report also shows caused of death is asphyxia and due to hanging.

Perused the records.

Having considered the allegation against this petitioner that he along with other co-accused persons have caused death of the husband of the informant, I do not think it is a fit case for grant of bail at this stage.

Accordingly, his prayer for grant of bail is rejected.

The trial court is directed to conclude the trial expeditiously preferably within a period of six months.



However, if the trial is not concluded within the stipulated period, the petitioner will be at liberty to renew his prayer for bail.

(Arun Kumar Jha, J)

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