

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.48648 of 2022**

Arising Out of PS. Case No.-97 Year-2020 Thana- PASRAHA District- Khagaria

Sugan Yadav Son Of Late Ganesh Yadav R/O Village- Basua, P.S.- Pasraha,
District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr. Dinesh Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Pasraha P.S. Case No. 97 of 2020 dated 03.10.2020 arising out of G.R. No. 2988 of 2020 registered for the offences punishable under Sections 364, 302, 201, 307 and 34 of the Indian Penal Code. He is in custody since 25.01.2021. The petitioner has got fifteen criminal antecedents.

Learned counsel for the petitioner submits that as per the prosecution story, the informant, his father and other villagers were engaged in fishing and at about 06:00 P.M., petitioner along with eleven other accused persons named in the



F.I.R. armed with weapon reached there by boat and opposed the informant's side from fishing and they also abused the prosecution party and in the meantime, Sugan Yadav (this petitioner) opened fire as a result of which the father of the informant received firearm injury and fell down in the boat and died. It is further alleged that other accused persons also made indiscriminate firing.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 25.01.2021.

Mr. Dinesh Singh, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the specific allegation that this petitioner had fired upon the deceased, the kind of seriousness of the offence alleged and the specific allegation against the petitioner, this Court is not inclined to release the petitioner on bail. The prayer for regular bail of the petitioner is, thus, rejected.

This application is dismissed.

Let the trial be expedited.

All endeavours be made to conclude the trial as early



as possible. The prosecution must co-operate by producing the witness on the date fixed in the matter.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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