

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7779 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- SIMULTALLA District- Jamui

Pankaj Yadav @ Pankaj Kumar Yadav Son of Bhushan Yadav R/V-
Bastiyadih PS- Simultalla, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
For the Informant	:	Mr. Alok Kumar Jha, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 15-09-2023 Heard Mr. N.K. Agrawal, learned Senior counsel for
the petitioner, learned counsel appearing on behalf of the
Informant and learned APP for the State.

2. Petitioner seeks bail, who is in custody since
27.08.2022, in connection with Simultalla P.S. Case No. 75 of
2022, F.I.R. dated 10.08.2022 registered for the offences
punishable under Sections 302, 120(B)/34 of the Indian Penal
Code, 1860 and Section 27 of the Arms Act.

3. The brother of the informant is alleged to have
been shot dead after inflicting gut shot injury made the accused
persons including the petitioner.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has been falsely implicated in
the present case. He further submits that as per allegation in the



F.I.R. the petitioner has fired upon the brother of the informant due to which he sustained injured in his head. He further submits that the informant is not an eye witness of the alleged occurrence and merely on the basis of suspicion the informant has filed the present F.I.R. against the petitioner.

5. Vide order dated 02.08.2023 a report was called for with regard to the stage of the trial. Report dated 04.08.2023 of the learned Trial Court reveals that out of six chargesheeted witness, five witnesses have already been examined and cross-examined and now only one witness i.e. doctor has to be examined as yet in the present case.

6. Considering the aforesaid facts and circumstances of the case and in view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Simultalla P.S. Case No. 75 of 2022 pending in the Court of learned Additional Chief Judicial Magistrate-II, Jamui.

7. Prayer is refused.

8. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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