

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8671 of 2023

Arising Out of PS. Case No.-155 Year-2020 Thana- GAMAHAIRIYA District- Madhepura

ANSHU YADAV Son of Kartik Yadav Resident of Village- Singiyan, P.S.-
Gamharia, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 18.10.2020 in connection with S.Tr.No.173 of 2021 arising out of Gamharia P.S. Case No. 155 of 2020, F.I.R. dated 15.09.2020 registered for the offence punishable under Sections 302/120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that husband of the informant was night guard. On 14.09.2020 at 8.00 P.M. the husband of the informant after having his dinner, was going to his work place, the petitioner came and asked him about Panchayat. When the husband of the informant shows ignorance about the Panchayat the petitioner shot him and ran away from



motorcycle. The victim died on the way to hospital.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case and the petitioner has not committed any offence as alleged in the FIR.

Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that there is specific and direct allegation against the petitioner and medical evidence also supports that allegation as alleged in the FIR.

Vide order dated 03.05.2023, a report was called for with regard to the stage of the trial. Report of the learned Trial Court dated 10.05.2023 reveals that out of five prosecution witnesses, four witnesses have already been examined, only I.O. of the case is to be examined.

Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with S.Tr.No.173 of 2021 arising out of Gamharia P.S. Case No. 155 of 2020 pending in the court of learned Additional Sessions Judge -VII, Madhepura.

Prayer is refused.



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

(Rajesh Kumar Verma, J)

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