

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11528 of 2023

Arising Out of PS. Case No.-180 Year-2014 Thana- NATHNAGAR District- Bhagalpur

1. VISHO YADAV @ BISHO YADAV S/O BHIKHO YADAV R/v- Nayatola, Mirjapur, P.S.- Madhusudanpur (Nathanagar), District- Bhagalpur
2. DHEERAJ YADAV S/O MEDO YADAV R/v- Nayatola, Mirjapur, P.S.- Madhusudanpur (Nathanagar), District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail, who are in custody since 18.08.2021 and 19.08.2021 respectively in connection with S.T. No. 579/2021, arising out of Nathnagar (Madhusudanpur) P.S. Case No. 180/2014 dated 08.07.2014, registered for the offences punishable under Sections 302, 201, 120B and 34 of the I.P.C. & Section 27 of the Arms Act.

According to prosecution case, the informant got secret information that one dead body was lying on Middle School and when he reached at the place of occurrence he saw there is a mark of bullet injury on the chest and neck of the dead



body.

Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. He further submits that the petitioners are not named in the F.I.R. The name of the petitioners have transpired during investigation on the basis of the statement of independent witness.

Learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer for bail of the petitioners.

Vide order dated 04.05.2023, a report was called for from the learned Trial Court regarding the present stage of the trial. Report dated 16.05.2023 of the learned Trial Court reveals that charge has been framed against the petitioners on 14.12.2021 and out of 14 charge sheeted witnesses, 8 prosecution witnesses have already been examined.

Considering the fact that trial is in advance stage, I am not inclined to enlarge the petitioner on bail in connection with S.T. No. 579/2021, arising out of Nathnagar (Madhusudanpur)



P.S. Case No. 180/2014, pending in the court of learned
Additional Sessions Judge, Bhagalpur.

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)

amit/-

U		T	
---	--	---	--

