

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38898 of 2023

Arising Out of PS. Case No.-284 Year-2022 Thana- PIRPAINTI District- Bhagalpur

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1. Sanyal Kumar @ Captain Yadav Son Of Ramnath Yadav Village- Kahalgaon Tola Ps- Pirpainti Dist- Bhagalpur And Permanent Add- Shivnarayanpur Ps- Shivnarayanpur Dist- Bhagalpur
 2. Rahul Yadav @ Rahul Kumar Son Of Ram Nath Yadav Village- Kahalgaon Tola Ps- Pirpainti Dist- Bhagalpur And Permanent Add- Shivnarayanpur Ps- Shivnarayanpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-09-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 326, 307, 448, 504 of the Indian Penal Code and Section 27 of the Arms Act later on Section 302 of the IPC was also added.

3. As per prosecution case, the allegation against the petitioners is that due to previous dispute they fired upon the husband of the informant due to which he sustained gunshot injury on his neck and during treatment



he died. It is further alleged that co-accused persons also fired upon other family members of the informant due to which her family members also sustained gunshot injuries.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to previous enmity. It is further submitted that the petitioners are languishing in judicial custody since 30.08.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is direct allegation against the petitioners of firing upon the husband of the informant and due to which her husband sustained gunshot injury and died during treatment and Postmortem Report also corroborated the prosecution version. During investigation, witnesses also supported the prosecution version.

6. Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioners, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands rejected.



7. The trial Court is directed to expedite the trial
and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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