

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34446 of 2023**

Arising Out of PS. Case No.-265 Year-2014 Thana- GOGRI District- Khagaria

Sudan Yadav Son Of Late Puran Yadav Resident Of Village- Goraiya Bathan,  
P.S.- Gogari, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      24-06-2023                      Heard the parties.

The petitioner is in custody since 10.1.2023 in connection with Gogari P.S. Case No. 265 of 2014 for the offence punishable under Sections 147, 148, 149, 324, 307 and 504 of the I.P.C. and section 27 of the Arms Act 2.12.2014 lodged on by the informant Shailesh Kumar.

The prosecution story, in brief, is that the informant has submitted his written report before Officer-in-Charge of Gogari P.S. on 2.12.2014 wherein he has categorically alleged that on 2.12.2014, when Pramod Yadav was sitting at his door, the petitioner herein and seven others armed with deadly weapons came at his door and started abusing him. Thereafter, they resorted to firing upon Pramod Yadav as a result, the brother of the informant sustained serious injury.

Learned counsel for the petitioner submits that the



allegation in the FIR is that when Pramod Yadav was sitting at his door, the petitioner and other came and after abusing him opened fire which caused injury to the brother of the informant Nitish Kumar causing serious injury to him. Thus omnibus allegation has been made against accused persons.

Per contra, learned APP submits that a bare perusal of the FIR would show that the allegation/FIR same dates back to 2014 i.e. nine and half years ago and further the petitioner has criminal antecedent inasmuch as he is accused in seven criminal cases some of which are under section 307 of the IPC.

Considering the aforesaid submission of the learned APP, for the present, this Court is not inclined to extend any relief to him and same is accordingly dismissed.

In view of the fact that the matter is 2014, the trial Court is directed to expedite the trial.

**(Rajiv Roy, J)**

Ravi/-

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