

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37068 of 2023

Arising Out of PS. Case No.-696 Year-2013 Thana- KHAGARIA District- Khagaria

GULAB YADAV S/O LATE NURSING YADAV R/O Vill. Morkahi
Kachchhari Tola, PS. Khagaria (Muffasil), Dist. Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 No one appears on behalf of the petitioner although
learned counsel for the informant is present.

The petitioner is in custody since 25. 7. 2014 in connection with Sessions Trial No. 129 of 2014/142/2015 arising out of Khagaria (Muffasil P.S. Case No. 696 of 2013 for the offence punishable under Sections 302, 120(B)/34 of the I.P.C. and 27 of the Arms Act lodged on 23.11.2013 by the informant Shambhu Yadav.

The prosecution story, in brief, is that the informant Shambhu Yadav has lodged FIR against the petitioner alleging that on the date and time of occurrence, co-accused Sanjay Yadav, Ex-Mukhiya called the brother of the informant on phone at his house. Then the informant along with his brother Subodh Yadav went there by motorcycle. Co-accused Sanjay



Yadav told them to sit on the chair. Suddenly, co-accused Sanjay Yadav caught hold of his brother and this petitioner shot at the head of his brother causing injury to him. The injured was carried to Sadar Hospital, Khagaria and later referred to Dr. Ashok Sharma of Begusarai where his brother was declared dead.

The matter is of 2013 and after 10 years, the bail application.

The learned counsel for the informant submits that the trial is on final stage and judgment should be delivered shortly.

In the aforesaid background, the bail application stands rejected.

(Rajiv Roy, J)

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