

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41303 of 2023**

Arising Out of PS. Case No.-2 Year-2020 Thana- HARINMAR District- Munger

Mritunjay Yadav @ Karka S/O- Late Nago Yadav Village- Jhouwa Bahiyar
Ps- Harinmar Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Verma
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307, 353, 332, 333, 414 and 34 of the Indian Penal Code and Sections 25(1-b) a/25(1-A)/27/27(2) and 35 of Arms Act.

Prosecution case in short, is that, the allegation against the petitioner along with other co-accused persons is that they created hindrance in discharging the official duties of the police officials. It is further alleged that the petitioner was arrested on spot by the police and from his possession one rifle and five live cartridges were recovered. It is also alleged that they fired upon the police officials due to which they sustained injuries.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. It is further submitted that there is no independent witness of the seizure list. Moreover, he is languishing in judicial custody since 29.02.2020.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that from the conscious possession of the petitioner, one rifle and 5 live cartridges were recovered and also he fired upon the police officials. It is also submitted that petitioner has six criminal antecedents as well.

Having heard the learned counsel for the parties and considering the nature of heinous allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same within a period of nine months, failing which, the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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