

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48983 of 2023

Arising Out of PS. Case No.-12 Year-2022 Thana- NADI P.S. District- Bhagalpur

Jayjay Yadav @ Jajla @ Jajla Yadav Son Of Jyotish Yadav R/O-Ward No. 3,
Navtoliya Jhandapur East, Jhandapur O.P., P.S.-Bihpur, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Nadi P.S. Case No. 12 of 2022 instituted for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, while the informant along with his brothers is going by motorcycle, in the meantime, the accused persons including the petitioner intercepted him. The petitioner is said to have put out his pistol and fired in head and stomach of Ravish Kunwar due to which he succumbed to injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely



been implicated in this case. The informant is not eye witness of the alleged occurrence and he has also not put his signature upon the inquest report. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 25.5.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has specifically been alleged to shot dead of the brother of the informant. The postmortem report of the deceased also corroborates the prosecution wherein, entry and exit wounds are found in temporal region and stomach of the deceased. The doctor opined that the cause of death is shock & Hemorrhage due as a resulting of fire-arm injuries. It is also submitted that the witnesses of the case have supported the prosecution case.

6. In pursuance to the direction of this Court, a report dt. 3.11.2023 with regard to present stage of trial has been received by which it appears that the trial is likely to be concluded within a period of eight (8) months.

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



for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same within stipulated period of time i.e. eight months, failing which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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