

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54746 of 2023

Arising Out of PS. Case No.-1202 Year-2022 Thana- KHAGARIA District- Khagaria

BIMAL YADAV @ BIMLENDU KUMAR S/o- LATE KAILASH YADAV
Village- Ekaniya Ward no-6, Ps- mansi Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is an accused in connection with Sessions Case No. 230 of 2023, Khagaria (Muffasil) P.S. Case No. 1202 of 2022 registered for the offences under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 12.11.2022 by the informant, Ashok Choudhary.

As per the prosecution story, the allegation is that the informant's brother went to his field and demanded money of his crops from the accused persons, Bimal Yadav and Munna Yadav, they chose not to pay. Allegation is that thereafter without any provocation, the aforesaid two accused persons opened fire, causing injury in his head and temple, died on the spot itself. Accordingly, the FIR.

There is direct allegation against both Bimal Yadav



(the petitioner herein) and Munna Yadav of opening fire, causing injury on his head and temple which proved fatal.

Considering the aforesaid facts, this Court is not inclined to extend him privilege of bail, which is accordingly rejected.

In view of the fact the petitioner is in custody 13.11.2022, the Trial Court is directed to expedite the trial and conclude the same within a period of one year.

(Rajiv Roy, J)

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