

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54135 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- KUMAR KHAND District- Madhepura

Shankar Yadav @ Narayan Yadav @ Narayan Kumar Son of Dilip Yadav @
Dileep Yadav Resident of Village - Kumarkhand , Ward No.8, Paschim Tola,
P.S.- Kumarkhand, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 17-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
07.05.2022 in connection with Kumarkhand P.S. Case No. 68 of
2022, F.I.R. dated 20.02.2022 registered for the offences
punishable under Section 302, 120(B)/34 of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, the petitioner along with
other accused persons took the informant's brother Bilash Yadav
in the wheat field and shot him in stomach which resulted in
death of Bilas Yadav.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it appears
from the F.I.R. that the date of occurrence as alleged in the F.I.R. is



18.02.2022 but the present F.I.R. was instituted on 20.02.2022 after delay of about 48 hours without giving any explanation of delay. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and postmortem report does not support the allegation as alleged in the F.I.R.

Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the witnesses have supported the prosecution case and the postmortem also corroborate the allegation as alleged in the F.I.R. as well as there is direct allegation against the petitioner that he opened fire upon the brother of the informant namely Bilas Yadav.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Kumarkhand P.S. Case No. 68 of 2022 pending in the Court of learned A.C.J.M.- II, Madhepura.

Prayer is refused.

However, the learned Trial court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

Ibrar//-

U			
---	--	--	--

