

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54330 of 2022

Arising Out of PS. Case No.-8 Year-1999 Thana- KORANSARAI District- Buxar

MANOJ YADAV Son of Late Jai Govind Yadav Resident of Village -
Basgitiya, P.S.- Koransarai, Distt.- Buxar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh, Adv.

Mr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 17-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 395, 397, 396 of the Indian Penal
Code.

As per allegation in the FIR, while the informant with
his sister and mother were at his home, 10-12 miscreants
entered into the house by breaking the door and asked to
produce the licensed gun otherwise they will shoot them then
informant with a fear of loot of gun, he went inside the bedroom
and closed the door where gun was kept. Accused persons
started wrangling with his mother and sister and opened fire as a
result of which informant's mother got injured and fell in the
courtyard.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He is not



named in the FIR. No specific allegation is attributed against the petitioner. Both parties are co-villagers and admitted land dispute is going on between the parties. Petitioner is languishing in judicial custody since 17.08.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and petitioner is indulged in the alleged occurrence. It is further submitted that statement of the informant's sister recorded u/s 164 Cr.P.C. in which she has stated that petitioner in connivance with other accused fired upon her mother (deceased).

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.

The trial court is directed to expedite and conclude the trial.

However, if the trial of the petitioner is not concluded within a period of six months, he would be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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