

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65443 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- BARHARA District- Bhojpur

Tej Pratap Yadav Son of Jagdish Yadav R/V- Babhangawan, P.S- Barhara
(Krishnagarh) Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Ganesh Prasad Singh, APP
For the Informant :	Mr. Rajesh Kumar Singh, Sr. Advocate
	Mr. Bibhakar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
07.04.2022 in connection with Barhara P.S. Case No. 220 of
2022, F.I.R. dated 19.03.2022 for the offences punishable under
Sections 147, 148, 149, 341, 323, 326, 307, 504 and 506 of the
Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, the petitioner along
with other accused persons assaulted the informant and his



family members by means of khanti, lathi and danda in which the petitioner's bullet hit the informant's mother left hand's wrist and stomach.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the petitioner has not committed any offence as alleged in the F.I.R. and the co-accused persons have fired upon the mother of the informant. He further submits that who fired the shot which hit the mother of the informant is not clear and the petitioner has falsely been implicated in this case.

Vide order dated 16.03.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 03.04.2023 reveals that out of 9 witnesses, 5 witnesses have already been examined.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Barahara P.S. Case No. 220 of 2022 pending in the court of learned Chief Judicial Magistrate, Bhojpur at Ara.

Prayer is refused.



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

(Rajesh Kumar Verma, J)

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