

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69262 of 2022

Arising Out of PS. Case No.-936 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Indal Yadav S/O Ganesh Yadav Resident Of Village- Ghoghasam, P.S.-
Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr.Chandra Mohan Jha, Adv.
For the Opposite Party/s :		Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 302, 201, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, informant alleged that on 05.12.2021, at around 2-3 P.M. his son was murdered by hatching conspiracy by the petitioner along with other accused and some unknown persons in which petitioner and other accused one by one fired upon his son.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of the FIR it appears that the informant is not an eye witness of this case merely on the basis of suspicion he alleged the petitioner along with other co-accused persons. It is further submitted that the petitioner is languishing in judicial custody since 25.02.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that there is direct allegation against the petitioner of shot fire upon the son of the informant due to which he shot dead. From perusal of the case diary as well as postmortem report, the cause of death due to rupture of vital organ post gun shot leads to massive haemorrhage and shock due to firearm injury, which also corroborates the prosecution version. It is further submitted that the petitioner has got three criminal antecedents.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner, 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 the trial and
conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

Manish/-

U		T	
---	--	---	--

