

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32586 of 2024

Arising Out of PS. Case No.-609 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Law Kumar Yadav Son of Panilal Prasad Yadav @ Panilal Ray R/O Village-
Khastola Gurmiya, P.S.- Ghorasahan, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
arising out of Ghorasahan P.S. Case No. 609/2023, lodged on
25.10.2023 under Sections 302, 120B and Section 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against five unknown accused persons. Initially, in a fair,
the accused persons interacted with the informant's son and a
hot discussion took place between them. They threatened to kill
each other and at the time of returning from the fair, the accused
persons surrounded them and one of them has fired, as a result
of which, the son of the informant fell down on the ground.



Subsequently, he was taken to the hospital where the doctor declared him brought dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner is not named in the FIR and only on the suspicion, the name of the petitioner has figured. He submits that no T.I.P. took place. The antecedent of the petitioner is not clean, there are two criminal cases pending against him but in both the cases, he is on bail. The petitioner is in custody since 28.10.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that it is true that the petitioner is not named in the FIR but the family members who were present in the fair have seen all the accused persons. He submits that the independent witnesses have mentioned in the case diary and they have identified the five persons with whom hot discussions took place between the informant and her family members. He further submits that the family members upon seeing the photograph of the accused persons have identified them, which has come in the separate paragraph of the case diary and they have identified the petitioner also.

7. In the present facts and circumstances, this Court is



not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Ghorasahan P.S. Case No. 609/2023, pending before the learned S.D.J.M. Sikrahna at Dhaka, is hereby rejected.

9. However, the petitioner may renew his prayer for bail after nine months of framing of charge.

(Dr. Anshuman, J.)

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