

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65320 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

SANGRAM YADAV S/O LATE KHUTI YADAV R/O VILLAGE-
LALGANJ, P.S- BUXAR(MUFFASIL), DISTT.- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal Mr. Satyapal Singh
For the Opposite Party/s	:	Mr. Murlidhar
For the Informant	:	Mr. Digvijay Kumar Ojha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act, charge sheet has been submitted under Section 302, 120B, 34 of the IPC and Section 27 of the Arms Act.

As per FIR, the informant alleged that while his brother namely, Saroj Kumar Singh was going to school, Jagdishpur, in the meantime, FIR named accused persons along with unknown persons surrounded his brother. It is



further alleged that the petitioner and co-accused persons fired upon his brother due to which his brother sustained gunshot injuries and fell down. Thereafter, his brother was taken to hospital where doctor declared him dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity. It is further submitted that the petitioner is languishing in judicial custody since 28.04.2022.

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 specific allegation against the petitioner and two other co-accused persons of firing upon the informant's brother. As per Postmortem Report three entry wounds were found on the body of the informant's brother/deceased and doctor opined cause of death haemorrhage and shock due to ante-mortem wounds caused by fire arm. It is further submitted that the petitioner has got three criminal antecedents.

Having heard the learned counsel for the parties and considering the facts and circumstances, gravity of the case, 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)

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