

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70880 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- PHULPARAS District- Madhubani

Sudhir Yadav S/O Chandan Prasad Yadav R/O Mahthaur Khurd, P.S-
Phulparas, Distt.- Madhubani.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302, 504, 120(B) of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in nutshell is that while the informant along with her daughter, Pooja Kumari and other family members was constructing house on her land, in the meantime, petitioner along with other co-accused persons arrived at the place of occurrence and



started abusing. It is further alleged that petitioner fired due to which informant's sister, Pooja Kumari sustained fire arm injury in her leg. When the cousin (Bhagina) of the informant came to her rescue, petitioner fired upon him, which hit on his chest and he succumbed to fire arm injuries.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There is case and counter case between the parties and in the background of land dispute, the present occurrence took place. Petitioner is in judicial custody since 27.06.2023.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that there is specific allegation of firing against the petitioner due to which informant's daughter, Pooja Kumari sustained fire arm injuries and later informant's cousin (Bhagina) succumbed to injuries. During investigation, informant as well as her injured



daughter has also supported the prosecution version of the case. From perusal of the postmortem report, it is evident that cause of death was due to hemorrhage and shock due to fire arm injuries, which also corroborates with the prosecution case.

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.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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