

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72384 of 2022

Arising Out of PS. Case No.-34 Year-2009 Thana- SANGRAMPUR District- Munger

SANJAY YADAV @ TANVEER KUMAR @ TANVEER S/o Chander Yadav
R/o Village- Maheshpur, P.S.- Sangrampur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 21-02-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with S.T.
No. 821A of 2009 (arising out of Sangrampur P.S. Case No. 34
of 2009) instituted for the offences under Sections 302, 147,
148, 149 and 447 of the Indian Penal Code and Section 27 of the
Arms Act.

3. Prosecution case, in short, is that the petitioner fired
two times on the informant's father-in-law namely, Maluki
Yadav which hit his chest and punjara due to which his father-
in-law fell down and died.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05.07.2021. He has been
falsely implicated in this case due to land dispute. The
postmortem report does not support the nature of allegation.



Till date, charge has not been framed. Learned counsel further submits that Similarly situated co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 22.12.2010 passed in Cr. Misc. No. 41764 of 2010.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that informant himself is the eye-witness of the occurrence and there is direct allegation against the petitioner of having fired two times on the informant's father-in-law due to which the informant's father-in-law died.

6. Considering the aforesaid facts and circumstances of the case, perusal of the case diary, the informant himself is the eye-witness of the occurrence and the allegation against the petitioner is of having fired two times resulting the death of the father-in-law of the deceased, the Court is not inclined to enlarge the petitioner on bail.

7. The prayer is rejected.

8. Learned Trial Court is directed to expedite the trial as soon as possible.

(Rudra Prakash Mishra, J)

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