

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75668 of 2023

Arising Out of PS. Case No.-242 Year-2017 Thana- PHULPARAS District- Madhubani

PRAMOD YADAV Son of Sri Jibachh Yadav Resident of village and P.S.-
Phulparas, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, APP

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for an offence punishable under Sections 448, 147, 148, 149, 302, 307, 120(B) of the Indian Penal Code and Sections 27, 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, petitioner along with other co-accused came bearing fire arm on motorcycle and entered informant's house and petitioner dragged the informant's nephew out of the house and fired in his stomach, thereafter in course of treatment, the nephew of the informant died and to resort the firing five to six persons got injured and they are receiving treatment at DMCH, Darbhanga.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Petitioner is



in custody since 23.08.2022.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, seizure list, case diary, postmortem report and impugned order dated 29.05.2023, it appears that specific allegation of gut shot firing upon the deceased (Rasindra Mandal) by the petitioner due to which, excessive blood and during the course of treatment the deceased died. On perusal of the stage of the trial from the learned trial Judge vide letter no.193 of 2024 dated 05.03.2024, it appears that charge has been framed against this petitioner and the trial is likely to be concluded within nine months, so considering above facts and circumstances of the case and also considering the stage of the trial, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. However, the trial court is directed to conclude the trial by given stipulated time by the learned trial Court.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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

