

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82671 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- NADI P.S. District- Bhagalpur

1. Sakla @ Sakaldev Yadav S/O Shankar Yadav R/O Village- Yadav Tola, Jhandaur, P.S- Bihpur (JHANDAPUR O.P.), Distt.- Bhagalpur.
2. Sujit Yadav S/O Gulo @ Gulab Yadav R/O Village- Yadav Tola Jhandapur, P.S- Bihpur (JHANDAPUR), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Nadi P.S. Case No. 24 of 2023, lodged on 26.08.2023 under
Sections 302, 120 (B) of the Indian Penal Code read with
section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against six named accused persons including the present
petitioners against whom there is an allegation that all the
accused persons in connivance with each other has killed the
son of the informant by gun shot.

4. Learned counsel for the petitioners submit that the



petitioners are innocent and have committed no offence. Counsel also submits that from the contents of FIR, it becomes crystal clear that the informant is not the eye-witness and she has filed this case only on the basis of suspicion. Counsel further submits that the criminal antecedent of the petitioners are clean and they are in custody since 03.09.2023.

5. Learned counsel for the petitioners submit that charge-sheet has already been filed in this case. Counsel also submits that case diary as well as status report has been called for in the present case to see the petitioners involvement in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that accused persons have made the confessional statement in this case in which involvement of the petitioners and other four accused persons has come in this case. Counsel further submits that from the status report, it transpires that till date, cognizance has not been taken place in this case.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioners at present.

8. Accordingly, the prayer for regular bail of the petitioners in connection with Nadi P.S. Case No. 24 of 2023,



pending before the learned Additional Chief Judicial Magistrate
3rd, Naugachia, Bhagalpur is **hereby rejected**.

9. Liberty is hereby granted to the petitioners that they
may renew their prayer for bail nine months after framing of
charge.

10. The Trial Court is directed to expedite the trial.

(Dr. Anshuman, J.)

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