

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.876 of 2024

Arising Out of PS. Case No.-179 Year-2002 Thana- MASAUDHI District- Patna

Deo Pujan Yadav @ Deopujan Yadav, S/o Late Vadha Yadav, R/o village-
Mahua Bagh, P.S-Masaurhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Masaurhi P.S. Case no. 179 of 2002 (Sessions Trial no.625 of 2023) registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the petitioner and one another caught hold of his cousin (*chachera*) brother and shot him as a result of which he died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegations are false and concocted. The manner of occurrence is other than what has been narrated in the FIR. The trial has commenced in the learned trial Court and both the witnesses examined on behalf of the prosecution have not supported the



prosecution case and have been declared hostile. The petitioner is in custody since 1.5.2023 and undertakes to cooperate in the trial.

5. The prayer for bail is opposed by learned A.P.P for the State who submits that the petitioner along with one another are the main assailant of the deceased as per the FIR. Further, in an FIR of the year 2002, the petitioner continued to abscond for about 20 years before he was taken into custody on 1.5.2023.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR wherein the petitioner and one another are described as the assailant of the deceased together with the petitioner having absconded for 20 years before being taken into custody on 1.5.2023, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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