

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2146 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Amod Yadav son of Ramkhelwan Yadav, Resident of village - Mainma, P.S.
Bakhtiyarpur (Balwahaat O.P.) Distirict – Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s	:	Mr. Dr.Mrityunjaya Kr.Gautam, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Bakhtiyarpur (Balwahaat O.P.) P.S. Case No. 187 of 2023
registered for the offence under Sections 341, 324, 307, 384,
504, 506 / 34 of the Indian Penal Code.

3. As per allegation in FIR, informant alleges in his
written statement that when he was supervising his cattle
grazing near his home, accused persons including this petitioner
armed variously came there and started firing due to previous



enmity. The informant any how managed to flee away but his son Gurudeo Yadav was hit by bullet fired by Amod Yadav, who fell down and believing him dead the accused persons went away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He is custody since 27.07.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of FIR, seizure list, case diary alongwith injury report of the informant and impugned order dated 07.12.2023, passed by learned Additional Sessions Judge - II Sitamarhi, it appears that the petitioner was shot fired upon the victim as a result of which the injuries caused on the person of the informant and also the other witnesses have also supported the case of the prosecution. Considering the serious allegation against the petitioner, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of this petitioner is hereby rejected.

8. However the trial court is directed to conclude the trial within a period of eight months from the date of receipt of a



copy of this order. If the trial is not concluded within the stipulated period then the petitioner shall be at liberty to renew his prayer for bail before the trial Court.

(Ramesh Chand Malviya, J)

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