

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12223 of 2025

Arising Out of PS. Case No.-80 Year-2013 Thana- KHAGARIA District- Khagaria

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Mohan Yadav S/O Late Rajendra Yadav, R/O Village- Kallar Tola, P.S.-
Muffasil, Dist.- Khagaria. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 24-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Suppl. Khagaria P.S. Case No. 80/2013 registered for the

offence under Sections 302, 34 of the Indian Penal Code and

Section 27 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and

is in custody since 14.05.2024.

4. Allegation against petitioner is to commit murder

of husband of the informant alongwith other named co-

accused persons.

5. Learned Counsel appearing on behalf of the

petitioner submitted that petitioner implicated with present

case due to previous enmity and same is evident from the fact



that no specific time of occurrence appears mentioned in the FIR. It is further pointed out that investigation of this case is already completed and as such, there is no chances of tempering with evidence. While concluding argument, it is submitted that petitioner found involved in three more criminal cases, where he is on bail.

6. Learned APP while opposing the prayer of bail submitted that the petitioner after the occurrence was absconding for long 12 years and was apprehended only in year 2024. It is submitted that petitioner is facing specific allegation as to commit murder of husband of the informant, who is the *eye-witness* of the occurrence and, moreover, petitioner found involved in three heinous offences.

7. Considering the aforesaid factual submission and by taking note of fact as allegation to open fire is specific against this petitioner, which caused death of the husband of the informant, coupled with the fact that petitioner was absconding for long 12 years and having three criminal antecedents, accordingly, prayer of bail of petitioner is rejected herewith for the present.



8. Considering the custody period, as petitioner is in custody since 14.05.2024, the learned trial court is directed to expedite the trial in accordance with law to conclude the same, preferably within one year.

(Chandra Shekhar Jha, J)

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