

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31327 of 2025

Arising Out of PS. Case No.-147 Year-2018 Thana- CHANDI District- Bhojpur

Sudhar Yadav @ Sughar Yadav @ Sughar Kumar S/o Gajanand Singh @
Gajanand Yadav Resident of Village- Salempur, P.S.- Chandi, Distt- Bhojpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.s

For the Opposite Party/s : Mrs .Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 02-09-2025 Heard the parties.

2. The petitioner seeks bail in connection with Chandi P.S. Case No. 147 of 2018 registered for the offence under Sections 341, 323, 302, 504, 120-B of I.P.C. and Section 27 of Arms Act.

3. The petitioner is named in the F.I.R. and is in custody since 20.11.2024.

4. The allegation against the petitioner is to commit murder of the cousin brother of the informant alongwith other co-accused persons by causing fire arm injury while he was returning after attending natural call. The occurrence arising out of land dispute regarding common pathway.



5. Learned counsel appearing on behalf of the petitioner submitted that present occurrence took place in early morning of 5:30 A.M., therefore, identification of petitioner appears doubtful. It is submitted that witnesses stated during investigation that while accused petitioner alongwith other accused persons were running away, the cousin brother of the informant was shot dead by this petitioner which make allegation unbelievable on its face. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer of bail submitted that the allegation to cause fatal fire arm injury is available against this petitioner, where during the occurrence other persons from petitioner side namely, Chandev



Singh also received gun shot injury and his daughter namely, Babita Devi also assaulted by butt of rifal. These two injured witnesses also supported occurrence during the investigation saying specifically against petitioner as to shot dead the cousin brother of the informant. Learned APP further submitted that *post-mortem* report appears in full corroboration with manner of assault as alleged.

7. In view of aforesaid factual submission and by taking note of fact as specific allegation to shot dead the cousin brother of the informant is available against this petitioner, which appears *prima-facie* in corroboration with *post-mortem* report, accordingly, the prayer of bail of petitioner stands **rejected** herewith for the present.

8. Considering the custody period of the petitioner as he remains in custody since 20.11.2024, the learned trial court is directed to conclude the trial preferably within nine months,



after receiving the copy of this order, failing
which petitioner may renew the prayer of bail, if
so, advised.

(Chandra Shekhar Jha, J)

Sudha/-

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