

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41552 of 2024

Arising Out of PS. Case No.-439 Year-2023 Thana- PALIGANJ District- Patna

Gorakh Kumar @ Bhuyar Yadav @ Bhuyar S/o- Mohan Yadav Village-
Kalayanpur Ps- paliganj Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Pd.Singh, Senior Advocate Mr.Bhaskar Shankar, Advocate
For the Opposite Party	:	Mr.Arvind Kumar Pandey (APP 84) Mr. Ranvijay Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 07-02-2025 Heard learned counsel for the petitioner, the State and the informant.

2. Petitioner seeks regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, all the FIR named accused persons including this petitioner and 2/4 unknown persons called out informant's son from his house and took him with them. Thereafter, his dead body was found thrown in the field.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on suspicion. Informant is not eye witness of the occurrence and save and except suspicion, there is no other direct or indirect evidence against the petitioner to show his complicity in the occurrence. Petitioner claims clean antecedent. He is in custody since 31.10.2023.

5. Learned counsel for the State and the informant oppose the prayer for bail. They submit that the petitioner is



named in the FIR with specific allegation that he and his accomplices called out the victim from his house and then killed and threw the dead body in the field. Post mortem report opines that the victim died of haemorrhage and shock caused due to firearm injury.

6. From the trial court’s report dated 4.1.2025 it reflects that trial has begun in the case and witnesses have been summoned for recording of evidence.

7. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected with direction to the trial court to expedite the trial and conclude the same preferably within a year.

(Prabhat Kumar Singh, J)

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