

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60153 of 2025

Arising Out of PS. Case No.-278 Year-2022 Thana- PHULPARAS District- Madhubani

Sudhir Yadav son of Chandan Prasad Yadav Resident of Village- Mahthaur
Khurd, Ps- Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Adv Mr. Avinash Kumar, Adv Mr. Mayank Raj, Adv
For the Informant	:	Ms. Akansha Malviya, Adv
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-11-2025 Heard Mr. Rama Kant Sharma, learned Senior counsel
for the petitioner, Ms. Akansha Malviya, learned counsel for the
informant and learned APP for the State.

2. The petitioner is in custody in connection with
Phulparas P.S. Case No. 278 of 2022 corresponding to G.R. No.
954 of 2022 corresponding to Session Trial No. 277 of 2024 for
the offence punishable under sections 147, 148, 149, 341, 323,
307, 302, 504, 120(B) of the Indian Penal Code and under
Section 27 of the Arms Act lodged on 10.06.2022 by the
informant, Bucchi Devi.

3. As per the prosecution story, the lady gave her
fardbeyan at Darbhanga Medical College Hospital, Emergency



Ward that she along with her daughter was fixing the roof over the house when the accused persons came armed variously and allegation against this petitioner is of opening fire causing injury in the leg of her daughter. When the nephew (Krishna Dev) came to her rescue, this petitioner opened fire causing injury in his chest who was referred to the Primary Health Centre Phulparas and then to Darbhanga Medical College Hospital where while Pooja Kumari was being treated, Krishan Dev was declared dead. This led to the FIR.

4. The petitioner earlier move before this Court in Cr. Misc. No. 69571 of 2024 which came to be rejected on 04.02.2025.

5. The trial court report is on record according to which two witnesses have been examined out of eleven witnesses and learned counsel representing the informant submits that they are ensuring that all the witnesses appear to depose before the trial Court.

6. Learned Senior Counsel for the petitioner submits that he has remained in custody since 28.06.2023 and shall diligently appear in trial.

7. Learned counsel for the informant has taken this Court to para 3 to show that this petitioner has criminal



antecedents, twice he opened fire causing injury to Pooja Kumari in her leg as also piercing the chest of the deceased by opening another fire.

8. Considering the allegation as also that the trial is going on and the trial court has undertaken to dispose it of at an earliest, for the present, this Court is not inclined to extent the privilege of bail to the petitioner.

9. Accordingly, the present application stands rejected.

10. However, since the petitioner is in custody since 28.06.2023, as recorded above, the trial court shall ensure that the trial is concluded preferably within a period of nine months.

(Rajiv Roy, J)

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