

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71983 of 2024

Arising Out of PS. Case No.-162 Year-2012 Thana- BARH District- Patna

Kamadhin Yadav @ Bhoni Yadav, Son of Late Subhash Yadav, R/O Village-
Soima, P.S-Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Naresh Dikshit, Advocate
	Ms. Kalpana, Advocate
For the Opposite Party/s :	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 17-03-2025 Heard Mr. Naresh Dikshit, learned counsel for the
petitioner and Mr. Manoj Kumar, learned APP for the State.

2. The petitioner has prayed for bail in connection with Barh P.S. Case No.162 of 2012 registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioner along with others took away the father of the informant on gun point. It is further alleged that Nandu Yadav ordered to kill and on his order, the petitioner fired with pistol at father of the informant due to which he died.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case due to land dispute. Nothing has been recovered from his possession. He is languishing in judicial custody since 06.07.2023.

5. Learned APP appearing for the state has vehemently opposed the prayer of bail and submitted that from perusal of the F.I.R., it is clear that there is direct allegation of firing against the petitioner due to which the deceased has died. From perusal of the postmortem report as well, it transpires that the death was due to firearm injury.

6. Having heard the learned counsel for the parties and considering the fact that in this case there is direct allegation of firing against the petitioner as a result of which the deceased has died, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. Petitioner will be at liberty to renew his prayer for bail after six months, if the trial is not concluded.

8. In the meanwhile, the learned trial Court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

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