

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86301 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- PIRPAINTI District- Bhagalpur

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Pritam Kumar @ Billur Yadav S/o- Arvind Yadav R/o- Ramnagar PS-
Pirpainiti District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajive Ranjan Singh, Adv.
For the Informant	:	Mrs. Urmila Kumari, Adv.
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 07-07-2025 Heard learned Senior Counsel for the petitioner,

learned counsel for the informant and learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail is a case registered for the
offences under Sections 302, 307, 504, 506 read with Section 34
of the Indian Penal Code.

3. As per the prosecution case, the informant has
alleged that the named accused persons variously armed, came
over in the house and it has been alleged that the petitioner
namely Pritam Kumar, fired upon the brother of the informant
from close range, hitting his head due to which he died.

4. Learned Senior Counsel for the petitioner submits
that the petitioner is innocent and has falsely been implicated in



this case. It appears that the informant and others are not the eye-witnesses to the said occurrence. Learned Senior counsel has drawn the attention of this Court towards the postmortem report, wherein it has been mentioned that the injury on the head was found to be blackened and marked with 0.5"x0.25", which could not have been caused from a shot fired from close range. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner, and it was only as an afterthought that the name of the petitioner and others has been inserted in the FIR. It has lastly been submitted that the petitioner has no criminal antecedent and he has been languishing in judicial custody since 06.01.2024.

5. Learned APP for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submit that there is an specific allegation upon the petitioner to have fired upon the brother of the informant, killing him on the spot. Counsel for the informant has submitted that the trial has commenced and even as per the report received, three witnesses remain to be examined.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the trial is almost at the fag end, this Court is not inclined to grant the petitioner on bail.



7. It is expected that the trial shall be expedited and the learned trial Court shall complete the trial and examine the rest of the prosecution witnesses within two months from today and may conclude the trial within four months from today. It is also made clear that the prosecution shall not delay the trial in any manner, specially in calling of the prosecution witnesses, who are the relatives of the informant.

8. Accordingly, the application is dismissed with the aforesaid observations.

(Sourendra Pandey, J)

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