

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89131 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

=====

Amod Yadav Son of Ram Khelawan Yadav R/o village -Mainma, PS-
Balwahat, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Shiva Shankar Sharma, Advocate
	:	Mr. Arun Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Ram Anurag Singh

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

4 04-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Bakhityarpur (Balwahat O.P) P.S Case No. 187 of 2023

registered for the offences punishable under Sections 341,

324, 307, 384, 504, 506/34 of the I.P.C and 27 of the Arms

Act.

3. As per prosecution case, informant alleges in

his written statement that when he was supervising his

cattle grazing near his home, accused persons including this

petitioner armed variously came there and started firing due

to previous enmity. The informant any how managed to flee



away but his son Gurudeo Yadav was hit by bullet fired by Amod Yadav, who fell down and believing him dead the accused persons went away.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that petitioner has got no criminal antecedent as stated in paragraph no. 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 27.07.2023. It is further submitted that this is a second time petitioner moved for the grant of regular bail before this Court earlier prayer for grant of regular bail was rejected by this Court with following observation:-

“The trial court is directed to conclude the trial within a period of eight months from the date of receipt of a copy of this order. If the trial is not concluded within the stipulated period then the petitioner shall be at liberty to renew his prayer for bail before the trial Court.”

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and stage of trial report it appears that, summons for the



appearance of the witnesses have been issued by this trial court and at present the case is pending for prosecution evidence. Out of nine prosecution witnesses only two prosecution witnesses have been produced by the prosecution as yet. Further the trial is likely to be concluded in approximately period of six months. Considering the all aspects of the case, very slow speed of trial and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIIrd, Saharsa in connection with Bakhityarpur (Balwahat O.P) P.S Case No. 187 of 2023 with subject to condition that petitioner shall co-operate in the trial and shall be present physically on each and every date fixed by the trial court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Mayank/-

U		T	
---	--	---	--

