

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25150 of 2015

Arising Out of PS.Case No. -382 Year- 2013 Thana -FATEHPUR District- GAYA

1. Shambhu Yadav S/o Jhari Yadav Resident of Village Darioura, Tola
Nawadih, P.S. Fatehpur, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Fatehpur P.S.
Case No. 382 of 2013 registered for the offences punishable under
Sections 302, 147, 148, 149, 341, 120B of the Indian Penal Code,
Section 27 of the Arms Act, Section 17 of C.L.A. Act and Sections
3(2) (v) of SC/ST (Prevention of Atrocities) Act.

Allegedly, the petitioner, Jitu Yadav and one unknown
came at the house of the informant and called her son Jitendra
Paswan and took away him at 5:30 pm and thereafter, the
informant got information on mobile that members of Maoist have
surrounded him and thereafter dead body of informant's son was
found.

Submission is of false implication, informant has changed her version during investigation and she is stating another story claiming that earlier FIR was lodged not according to the real occurrence, the statement recorded under Section 164 Cr.P.C. is contradictory to earlier statement and it is not possible that having enmity son of the informant will go with the petitioner.

Learned Special P.P. opposes the prayer of bail by submitting that under conspiracy the petitioner along with others took away the son of the informant and got him killed.

Considering that in the FIR and also in the statement recorded under Section 164 Cr.P.C. the informant has named the petitioner that he called and took away her son and thereafter, he was killed, this Court is not inclined to release the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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