

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24875 of 2015

Arising Out of PS.Case No. -689 Year- 2014 Thana -SAHARSA District- SAHARSA

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1. Pankaj Yadav S/o Permeshwar Yadav R/o village - Aarraha, P.S. Sour
Bazar, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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

3 07-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State as also learned counsel for the informant.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly the petitioner and other F.I.R. named
accused persons surrounded Nunu Lal Yadav, brother of the
informant and co-accused Baua Yadav shot the brother of the
informant and thereafter the petitioner also shot upon him and
after that the accused persons fled away towards south.

Submission is of false implication and that the
informant is not an eye witness. Further the informant has filed an
affidavit in the court of the Chief Judicial Magistrate stating that

the names of this petitioner and that of Parmeshwari Yadav were given on mere suspicion and both were not identified at the place of occurrence because of darkness. The petitioner is a man of means and there is no chance of tampering with the prosecution evidence and the medical evidence is not consistent with the version of the informant to which the learned A.P.P. duly assisted by learned counsel for the informant opposes by submitting that the Doctor has also found corresponding injuries on the deceased and the petitioner has got criminal antecedent, which is evident from paragraph No.3 of the petition itself as he is involved in five more other cases.

In the facts and circumstances stated above, considering that the petitioner is the assailant of the deceased and he has got criminal antecedent also, this Court is not inclined to enlarge the petitioner on bail and accordingly, such prayer stands rejected.

(Jitendra Mohan Sharma, J)

V.P.Sinha/-

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