

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41719 of 2016

Arising Out of PS.Case No. -169 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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Mritunjay Yadav S/o Shakaldeo Yadav resident of village - Tuniyahi, P.S. +
District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 13-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with
Madhepura P.S. Case No. 169 of 2016 registered under sections
302, 323, 341, 147, 148 and 149 of the I.P.C. pending in the Court
of C.J.M., Madhepura.

According to F.I.R., the petitioner fired causing
injury at the chest of Bijendra Yadav, as a result thereof, he died
on the spot. Besides the informant, other eye witnesses have
supported the aforesaid allegation.

Submission of learned counsel for the petitioner is
that the subsequent investigation would reveal that in fact, the
prosecution's side were celebrating their release on bail and they



resorted to firing, which caused injury to Bijendra Yadav, as a result whereof, he died.

Considering the direct allegation against the petitioner by eye witnesses, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, prayer of the petitioner for bail is rejected.

(Birendra Kumar, J)

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