

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43773 of 2016

Arising Out of PS.Case No. -198 Year- 2015 Thana -MANSI District- KHAGARIA

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Bucchi Yadav son of Ram Swaroop Yadav, Resident of Village- Thatha,
P.S.- Mansi, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Siddhartha Prasad, Advocate

For the Opposite Party : Mr. Ajay Kumar-1, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-11-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
22.12.2015 in connection with Mansi P.S.Case No.198 of 2015for
offence alleged under Sections 147, 148, 149, 341 and 302 of the
IPC and Section 27 of the Arms Act.

The prosecution case as stated by the informant
Ashok Yadav is that the petitioner along with a co-accused had
inflicted fire arm injury upon his brother Manoj Yadav who
succumbed to the injury.

It has been submitted by the learned counsel for the
petitioner that the deceased Manoj Yadav was a harden criminal
and petitioner had deposed against him in the criminal case

pending against the deceased. He further submits that the petitioner has got no criminal history and the injury found on the deceased does not implicate the petitioner for cause of death. He further submits that chargesheet has already been submitted against the petitioner, hence there is no question for tampering with the witness.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Be that as it may, since the informant is himself an eye witness of the case, I am not inclined to grant the privilege of bail at this stage. Accordingly, the prayer for bail is rejected. The petitioner may renew his prayer for bail after six months.

(Nilu Agrawal, J)

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