

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51438 of 2015

Arising Out of P.S. Case No. 246 Year 2014, Thana-Salkhua,
District-Saharsa

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Bijendra Yadav, Son of Singheshwar Yadav, Resident of village-
Khureshan, P.S.-Salkhua, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra

For the Opposite Party : Mr. Anish Chandra(App)

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

ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Salkhua
P.S. Case No. 246 of 2014 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 325, 326, 387, 307 and
302 of the Indian Penal Code and Section 27 of the Indian Arms
Act.

Allegedly, at the instigation of Singheshwar Yadav, the
petitioner shot Sanjay Yadav, which hit on his neck and during
treatment Sanjay Yadav succumbed to the injury.

Submission is of false implication and that there is case
and counter case, due to land dispute the occurrence has taken
place. There was no intention to commit murder and at the spur

of moment the occurrence has taken place. The other co-accused have been allowed bail and the petitioner is suffering in custody since 15.06.2015.

Learned A.P.P. opposes the prayer for bail and submits that the petitioner is the assailant.

In the facts and circumstances stated above, considering that the petitioner is the assailant, this court is not inclined to enlarge the petitioner on bail and accordingly, such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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