

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57301 of 2015

Arising Out of PS.Case No. -96 Year- 2011 Thana -MUNGER MUFFASIL District- MUNGER

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1. Kailu Yadav, son of Late Lakhan Yadav, resident of Taufir Mai, P.S.-
Muffasil, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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

6 18-04-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 342, 323, 302, 387 and
386 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner, other F.I.R named accused
persons and 15-20 unknown being armed came, co-accused
Maheshwar Singh demanded ransom of Rs. 5,00,000/- and asked
to deposit the licensee arms and on protest Maheshwar Singh shot
Bipin Yadav in his leg and thereafter co-accused Mannu Yadav
shot Bipin Yadav in his eye, co-accused Manish Yadav also shot
Bipin Yadav in his another eye and the petitioner shot Bipin
Yadav on his right hand and further other co-accused also opened

fire, sofar as the deceased Shambhu Yadav and Randhir Yadav are concerned, there is allegation against other co-accused.

Submission is of false implication and that the prosecution story appears not probable and reliable, co-accused Pampam Singh has already been allowed bail vide Cr. Misc. No. 2154 of 2015 by order dated 28.07.2015 as during postmortem of the deceased Bipin Yadav only three fire arm injuries were found and the petitioner is suffering in custody since 29.11.2014 and further the deceased were notorious criminals, to which the learned A.P.P. opposes by submitting that against Pampam Singh it is not alleged as to on which part of Bipin Yadav he shot and on that ground he was allowed bail, whereas, other co-accused, namely, Guddu Yadav and Maheshwar Singh have been refused bail and the petitioner has got criminal antecedent as he is involved in five more cases.

In the facts and circumstances as stated above, considering that the petitioner has also shot the deceased Bipin Yadav in his right hand and this is a case of triple murder and as such at this stage I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Muffasil P.S. Case No. 96 of 2011 pending in the court of the learned Sub. Divisional Judicial Magistrate, Munger.

However, considering detention of the petitioner, let
the trial be expedited and concluded within nine months.

(Jitendra Mohan Sharma, J)

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