

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36615 of 2016

Arising Out of PS.Case No. -31 Year- 2015 Thana -KALER District- JEHANABAD

=====

1. Rajesh Yadav Son of Late Raj Kishore Singh, resident of Village:
Karamchandi, P.S: Charpokhari, District: Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the State : Mr. Gopesh Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

7 17-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections-307, 302 & other minor sections of the Indian Penal

Code and 27 of the Arms Act.

Petitioner is not named in the first information report

but the informant does not claim himself to be eye witness of the

alleged occurrence. In course of investigation, the statement of eye

witnesses, was recorded which has been incorporated by the I.O.

at paragraphs-20 and 21 of the case diary. Both the above-said eye

witnesses claimed that the petitioner and two others opened fire on

the deceased.

Submission on behalf of the petitioner is that having

similar allegation, one co-accused Pappu Yadav @ Pappu Kumar, Rambrat Singh and Jalendra Yadav have already been granted privilege of bail by different benches of this court. It is further submitted that so far as criminal antecedent of the petitioner is concerned; in the year, 2001, father of the petitioner was killed and a criminal case was lodged against some persons who were later on, convicted after full-fledged trial and those people got implicated the petitioner in several cases which have been given at paragraph-3 of the petition.

Perusal of paragraph-3 of the petition goes to show that near about 10 cases had been instituted against the petitioner prior to the registration of this case and almost all the cases are of serious nature.

Therefore, considering the material collected by the I.O. in course of investigation as well as criminal antecedent of the petitioner, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Kaler P.S. Case No. 31 of 2015 stands rejected.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--