

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22972 of 2016

Arising Out of PS.Case No. -236 Year- 2015 Thana -MANSI District- KHAGARIA

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1. JITENDRA YADAV @ JITENDRA KUMAR YADAV S/o Chhedi
Yadav resident of Village - Tikarampur, P.S. - Muffasil, District - Munger.
.... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. A L Pandit(App)

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

3 14-07-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mansi P.S. Case
No. 236 of 2015 registered for the offence punishable under Section
394 of the Indian Penal Code.

Allegedly, three motorcycle borne criminals directed the
informant to stop the motorcycle but the informant started speeding
away and then the miscreants fired two shots after chasing him and
thereafter, third shot was fired which hit the hand of the informant but
any how he reached at his house. During investigation the name of the
petitioner and other transpired in the statement of witness Pirthvi
Yadav, Kopan Yadav and Shiv Yadav vide paragraph nos. 9, 10 and 11
of the case diary and further co-accused persons confessing their guilt
have also stated the name of the petitioner.

Submission is of false implication and that the petitioner is

suffering in custody since 16.03.2016 but he has not been put on test identification parade, confessional statement of co-accused Rukesh Yadav @ Rocky Yadav and Santosh Yadav have got no evidentiary value in the eye of law, statements of three witnesses are not reliable as they are the resident of another village of different district.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner and others have been identified by the witnesses as stated above that they have opened fire upon the informant causing injury to him and as such, at this stage, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer for bail after remaining further four months in custody from today.

(Jitendra Mohan Sharma, J)

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