

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41033 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -BUXAR District- BUXAR

Sunil Yadav Son of Nathuni Yadav Resident of Village- Budhanpurwa,
Buxar, Police Station- Buxar (T), District Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar Roy, Advocate

For the Opposite Party: APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.03.2016 in
connection with Buxar (T) P.S. Case No. 74 of 2016 for the
offences alleged under Sections 341, 147, 148, 149, 302, 326 and
120B of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely
implicated and in any event, the thrust of accusation of having
fired and caused death of the deceased is on co-accused Rahul
Yadav. It is further submitted that co-accused Nathuni Yadav who
is said to have held the hand of the deceased at the time of
occurrence has been granted bail and the petitioner who is said to
have held the feet of the deceased is similarly situated. This Court
is not persuaded to take a similar view as in the case of co-
accused Nathuni Yadav.

4. Considering the nature of accusation that the
petitioner is said to have caught hold of the feet of the deceased
when co-accused Rahul Yadav fired on the head of the deceased
as well as the criminal antecedents of the petitioner, this Court is

not inclined to grant the privilege of bail to the petitioner. Bail
petition stands dismissed.

(Vikash Jain, J)

