

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52403 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -ATRI District- GAYA

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1. Prem Chand Yadav Son of Brichh Yadav Resident of Village - Narawat,
P.S. - Atri, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Dilip Kumar(App)

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

5 25-02-2016 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 offence punishable under section 302/34 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner shot Gore Lal Yadav, the brother of the informant, causing his death.

Submission is of false implication and that the petitioner is suffering in custody since 03.02.2015, other co-accused, namely, Briksh Yadav @ Ram Briksh Yadav and Rajo Pandey @ Rajo Pandit have been allowed bail and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner is the

assailant and he has got criminal antecedent also.

In the facts and circumstances as stated above, considering that the petitioner is the assailant and as such this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Atri P.S. Case No. 05 of 2015 pending in the court of A.C.J.M. IInd at Gaya.

However, considering detention of the petitioner; let the trial be expedited.

(Jitendra Mohan Sharma, J)

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