

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50017 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -DEO District- AURANGABAD

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Surendra Yadav, son of late Sahdeo Yadav, resident of Village- Nakati,
Police Station- Deo , District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr.Advocate
with Mr. Ram Pravesh Nath Tiwari, Advocate
For the Informant : Mr. Jagjit Roshan, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-03-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Deo
P.S.Case No. 29 of 2016 registered for the offences punishable
under Sections 147, 148, 149, 302, 120B of the Indian Penal Code
and 27 of the Arms Act, including Section 17 of C.L.A. Act.

It has been submitted on behalf of the petitioner that
deceased was a criminal and, as such, he was killed by some
Naxalite persons, which is supported in the re-statement of the
informant as he had stated that at the instance of the petitioner
some Naxalite persons, including petitioner had fired, causing
death of the deceased. It has further been submitted that whole
prosecution case is based on political vendetta as the petitioner
was a candidate to the Panchayat election and the informant has
tried to block the candidature of the petitioner and the present case



has been filed and there is no specific allegation against the petitioner, rather there is allegation of indiscriminate firing by nine persons, including the petitioner but only seven injuries were found on the person of the deceased.

Heard learned APP and learned counsel for the informant also, who have opposed the prayer for bail stating that in the FIR as well as in the re-statement of the informant there is allegation against the petitioner of firing and the case diary and post mortem report support the manner of occurrence.

Having heard both sides and in view of the fact that there is direct allegation against the petitioner of firing on the deceased as well as the materials collected during course of investigation in support of involvement of the petitioner, I am not inclined to grant bail to the petitioner.

However, trial court is directed to expedite the trial and conclude the same as early as possible.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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