

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53906 of 2016

Arising Out of PS.Case No. -170 Year- 2012 Thana -LAXMIPUR District- JAMUI

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1. Sekhar Yadav @ Tarkeshwar Kumar Nirala Son of Saryug Yadav
Resident of Village - Chedlahi, P.S. - Giddhaur, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Shashi Priya Pathak

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-01-2017 The petitioner is in custody since 11.04.2016 in connection with Laxmipur P.S. Case No. 170 of 2012, registered for offences punishable under Sections 147, 148, 302, 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that from perusal of the F.I.R. as well as the fardbeyan of one Kapil Yadav, it appears that the informant is not an eye-witness to the occurrence and further as alleged the occurrence was of night and there was no source of light, therefore, it is highly doubtful that how the informant identified this petitioner. The petitioner has been in judicial custody since 11.04.2016.

Learned counsel appearing on behalf of the State has submitted that from perusal of paragraph 22 and 25 the case diary,



it appears that there is direct allegation of firing against this petitioner, in which three persons died including the deceased.

Having heard both sides, considering the facts and circumstances of the case and the nature of offence, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

(Vinod Kumar Sinha, J)

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