

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1774 of 2017

Arising Out of PS.Case No. -36 Year- 2016 Thana -DUMARIA District- GAYA

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Ram Sarekha Yadav @ Sarekha Yadav, S/o Raghu Nandan Yadav @
Yadunandan Yadav, resident of Village- Hurmaith, P.S.- Dumaria, District-
Gaya.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nirbhay Singh, Advocate
: Mr Ravindra Kumar Shukla, Advocate
: Mr. Nurul Hoda, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Spl P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 21-07-2017 The appellant seeks bail in connection with Dumaria

P.S. Case No. 36 of 2016 registered for offences punishable under

sections 302, 120(B), 379, 435 of the Indian Penal Code and

Section 27 of the Arms Act, Section 17 of the CLA Act and

Section 3(1)(X)(XI), 30(ii)(v) of SC/ST Act.

Allegation against the appellant is that on 25.05.2016

informant Maya Rani Devi alongwith her husband and family

member and with other person making composition as she herself

was the candidate for the post of Mukhiya. When informant and

her supporter reached village and stayed for drinking water in the

meantime the appellant Ram Salekha Yadav and his brother Binod

Yadav on one motorcycle and other accused persons of different



motorcycle arrived having armed with rifle. Therefore appellant and other co-accused persons fired rifle on informant's husband Rabirakesh @ Sudesh Paswan and on informant's Devar Sunil Yadav and both injured died on the spot.

Learned counsel for the appellant submitted that he has been falsely been implicated in this case. It appears that from the facts that the father of the informant has been examined in the Court as PW-3 and he has not supported the case of the prosecution, not named other the other accused persons. The appellant has been in custody since 01.11.2016.

Heard learned Special P.P. also.

Having heard both sides, in view of the allegations against the appellant, at this stage, I am not inclined to grant bail to the appellant. However, the appellant may renew prayer for bail after examination of the informant of the case.

With the above observation, this appeal is disposed of

(Vinod Kumar Sinha, J)

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