

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32907 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Rajeev Prasad Yadav, Son of Ganga Prasad Yadav, Resident of Village-
Ganga Bigha, P.S. Bena, O.P. Chandi, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2017 Heard the parties.

The petitioner seeks regular bail in Laheri P.S. Case
No.28 of 2017 for the offence under Sections 302, 120(B) of
I.P.C.

Petitioner has not named in the F.I.R. but later on
transpires as one of the witnesses named the petitioner as associate
of other co-accused persons.

Submission of the learned counsel for the petitioner is
that there is no allegation of firing against him. He was not seen at
the place of occurrence and nothing has been recovered from his
possession.

Heard learned A.P.P. also who opposed the prayer for
bail on the ground of paragraph 19 of the case diary in which it



has come from the CCTV footage that a man wearing hat was standing since long seeing his mobile and he was allegedly seen fleeing away after the occurrence. Later on, spy after seeing the photograph of the petitioner stated that the photograph in CCTV footage was of Rajiv Prasad son of Ganga Prasad Yadav of Village Ganga Bigha who is truck driver and a criminal. Thereafter police arrested him and he confessed his guilt. The petitioner has criminal antecedent which appears from paragraph 3 of the petition.

Having heard both sides and in view of the facts and circumstances, as state above, I am not inclined to grant bail to the petitioner. Prayer for bail of the petitioner is rejected.

However, trial court is directed to expedite the trial.

With the aforesaid observation this application is dismissed.

(Vinod Kumar Sinha, J)

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