

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17791 of 2017

Arising Out of PS.Case No. -96 Year- 2011 Thana -MUNGER MUFFASIL District- MUNGER

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Yogendra Yadav, Son of Late Lakhan Yadav, resident of Village-Mai
Toufir, P.S. Muffasil District- Munger.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Vinod Gautam, Advocate.

For the State : Mr. Binod Kumar- 2, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

6 03-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sessions
Trial No.216 of 2014, arising out of Muffassil P.S. Case No.96 of
2011, registered under Sections 148, 149, 342, 323, 302, 387 and
386 of the Indian Penal Code besides Section 27 of the Arms Act,
pending in the court of the 5th Additional Sessions Judge, Munger.

The allegation of the informant Rakesh Kumar is that
on 18.05.2011 in the evening at about 05.00 P.M., he alongwith
his brother Pintu Yadav alias Navin Kumar, Bipin Yadav and
Randhir Yadav were present at the Khaliyan. In the meantime, 13
persons, named in the F.I.R., including the petitioner alongwith



15-20 unknown came to the Khaliyan and started to abuse. In that course, Maheshwar Singh demanded Rs.5,00,000/- as ransom and also asked to handover his licensee gun, otherwise he would be killed. When protest was made then Maheshwar Singh shot fire through rifle causing injury at the leg of Bipin Yadav. Thereafter, Mannu Yadav shot fire causing injury at the eye of Bipin Yadav. Manish Yadav also shot fire causing injury at the second eye of Bipin Yadav. Thereafter, Kallu Yadav shot fire causing injury at the right hand of Bipin Yadav. Mastan Singh and Pampam Singh also shot fire at Bipin Yadav. Pinty Yadav was also shot fire by them but he jumped into the water to save his life. At that time, this petitioner shot fire at Pintu Yadav causing injury on his neck and Santosh Yadav also shot fire at Pintu Yadav which also caused injury on his neck, then Pintu Yadav drowned into the water. At that time, Guddu Yadav took the licensee rifle of Pintu Yadav. Thereafter, Randhir Yadav was carried by Ramgulam Yadav, Jaldhar Singh, Nirodh Yadav, Nayeem Khan and Mastan Singh.

Learned counsel appearing on behalf of the petitioner submits that while the allegation has been made against the petitioner and one Santosh Yadav to shot fire at Pintu Yadav causing injury on his neck but the petitioner is in custody since



06.10.2013.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail and submits that in the occurrence, three persons, namely, Bipin Yadav, Pintu Yadav and Randhir Yadav died sustaining firearm injuries. The deceased Pintu Yadav sustained injury on his neck.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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