

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12205 of 2017

Arising Out of PS.Case No. -86 Year- 2015 Thana -SONBERSA District- SAHARSA

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Dilip Yadav, Son of Chandra Shekhar Yadav @ Ghosh, Resident of village
- Manori, P.S. Sonbarsa, Raj, District – Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma

For the Opposite Party/s : Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 24-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Sonbarsa Raj
P.S. Case No. 86 of 2015, registered under Sections 302, 379/34 of
Indian Penal Code and Section 27 of the Arms Act, pending in the
Court of Sessions Judge-II at Saharsa.

The accusation is that on 04.06.2015, 11 persons named
in the F.I.R., including the petitioner, reached at the door of the
informant and surrounded the house and at that time Sanjeet Yadav
and Ranjeet Yadav entered in the house and took cash of Rs. 50,000/-
from the box at the order of Chandrashekhar Yadav @ Ghosh,
petitioner Dilip Yadav shot fire at Mukesh Yadav, brother of the
informant, at his head and Karo Yadav also caused fire arm injury to
him on which Mukesh Yadav, brother of the informant, died on the



spot.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that occurrence is said to be happened at 2.00 A.M. in the night so it has not possible for the informant to identify the culprits from the roof in the dark night.

Learned counsel for the State vehemently opposed the prayer of the petitioner submits that on the order of Chandrashekhar Yadav @ Ghosh, petitioner Dilip Yadav shot fire at Mukesh Yadav, brother of the informant, who died on the spot.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner, above named, is rejected.

(Rajendra Kumar Mishra, J)

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