

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21314 of 2017

Arising Out of PS.Case No. -208 Year- 2016 Thana -GHOSI District- JEHANABAD

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Deo Narain Yadav, son of Yugal Yadav, resident of village - Umrai Bigha,
Police Station - Ghoshi, District - Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ashfaq Ahmad, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 21-06-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
10.11.2016 in connection with Ghoshi (Okri) P.S. Case No.
208/16 for offences punishable under Sections 341, 323, 324, 326,
307, 386, 504/34 of the Indian Penal Code and 27 of the Arms
Act.

The prosecution case is that on account of cattle
of the informant and other villagers, grazing in the field of the
petitioner and other family members, some altercation took place
in which the informant stated that the petitioner and another co-
accused fired on the husband of the informant, which hit him on
his head.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has falsely been implicated in the aforesaid case due to rivalry and inimical terms between the parties. It is submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the witnesses, who are villagers, have supported the prosecution case and in several paragraphs of the case diary, the informant was not found by the police for her statement, as she had gone with her husband to Patna for his treatment.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the petitioner privilege of bail at this stage in connection with Ghoshi (Okari) P.S. Case No. 208/16, pending before the learned Chief Judicial Magistrate, Jehanabad.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

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