

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2265 of 2018

Arising Out of PS.Case No. -86 Year- 2016 Thana -FULKAHA District- ARRARIA

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Devnandan Yadav @ Deo Nandan Yadav Son of Late Hiralal Yadav
Resident of Village - Anchara, P.S. - Fulkaha, District - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy,APP

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 28.07.2017 in connection with Fulkaha P.S. Case No. 86 of 2016, G.R. No. 2697/16 for the alleged offences under Sections 147, 148, 149, 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and the thrust of accusation of firing is upon other accused persons whereas the petitioner only said to have held the informant's husband while other persons fired at him. Similarly situated co-accused Tarachand Yadav has been granted bail by this Court in Cr. Misc. No. 16869 of 2017. Other co-accused persons Ramanand Yadav and Rakesh Yadav have also been granted bail by this Court in Cr. Misc. No. 1614 of 2018 and Cr. Misc. No. 53089 of



2017 respectively. The petitioner claims clean antecedents.

4. A perusal of the FIR discloses that the petitioner along with Tarachand Yadav and Pawan Yadav is said to have held the informant's husband and co-accused Sanjeet Kumar, Bhupen Yadav, Bhuwan Yadav and Ranjeet Yadav are said to have fired upon the informant's husband on various parts of his body and co-accused Rakesh Yadav said to have fired on the direction of the petitioner.

5. In the above circumstances I am not persuaded to take a view as in the case of similarly situated co-accused Tarachand Yadav, who is said to have held the informant's husband along with the petitioner.

6. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant privilege of bail to the petitioner. The bail petition stands dismissed.

(Vikash Jain, J)

Chandran/BT

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