

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26140 of 2018

Arising Out of PS. Case No.-153 Year-2016 Thana- KASIMBAZAR District- Munger

Neeraj Yadav, son of Umesh Yadav @ Umesh Kumar Yadav, resident of village - Lal Darwaja, P.S.- Kotwali (Munger), District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Ramakant Sharma, Senior Advocate
		Sri Shivendra Kumar Sinha, Advocate
For the Opposite Party/s	:	Sri Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 04-05-2018 Heard Sri Ramakant Sharma, learned senior counsel, assisted by Sri Shivendra Kumar Sinha, learned counsel for the petitioner and Sri Umesh Lal Verma, learned Additional Public Prosecutor.

The sole petitioner, who is in custody in Sessions Trial No. 244 of 2017 arising out of Kasim Bazar P.S. Case No. 153 of 2016 registered for the offence under Sections 302, 34, 120(B) of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959 has prayed for grant of bail.

Learned senior counsel for the petitioner submits that in this case it was alleged that on ten motorcycles fifteen named accused persons and others arrived in a picture hall where son of the informant was present. He was chased and by indiscriminate



firing he was done to death. He submits that in similar situation some of the accused have been granted bail by this court particularly co-accused Gudda Sharma @ Jitendra Sharma vide order dated: 25.04.2018 in Cr. Misc. No. 25277 of 2018. One another accused - Dharma Yadav @ Dharamdeo Yadav @ Dharam Raj Yadav vide order dated: 02.05.2018 in Cr. Misc. No. 20006 of 2018 have been granted bail. On the ground that there was general and omnibus allegation as well as plea of parity, a prayer has been made for passing same order. However, after examining the materials available on record it is evident that deceased, who was also a veteran criminal, was done to death by indiscriminate firing. In the occurrence the petitioner was also one of the participants and petitioner is having criminal antecedent, which fact has been stated in paragraph no. 3 of the petition. In paragraph no. 3 of the petition it has been indicated that petitioner for serious offences was made accused in other three cases besides the present case. However, Sri Ramakant Sharma, learned senior counsel for the petitioner submits that out of three cases, petitioner has already been acquitted in two cases. He has also argued that petitioner is in custody since 22.11.2016.

Be that as it may, considering the nature of accusation



in which indiscriminate firing was made as well as criminal antecedent of the petitioner, there is no reason to pass favourable order.

The petition stands dismissed.

(Rakesh Kumar, J)

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