

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53784 of 2018

Arising Out of PS.Case No. -118 Year- 2015 Thana -MADHEPUR District- MADHUBANI

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Bhim Yadav son of Ramchandra Yadav, resident of village- Birpur, P.S.
Madhepur, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-09-2018

Heard.

The petitioner seeks regular bail in connection with Sessions Trial No. 92 of 2017 arising out of Madhepur P.S. Case No. 118 of 2015 for the offences punishable under Sections 302, 307, 120(B), 34 of the Indian Penal Code and section 27 of the Arms Act.

Earlier this Court had rejected the prayer of the petitioner for grant of regular bail by an order dated 20.09.2017 passed in Cr. Misc. No. 45671 of 2017 on the ground that serious accusation has been levelled against the petitioner for killing the brother of the informant by shooting him. The other ground for rejecting the prayer of the petitioner for grant of regular bail was that as many as 11 cases are pending against the petitioner herein pertaining to serious offences committed by the petitioner, hence,



it would not be in the interest of society to release such a habitual offender. In this connection, it would be useful to refer to a judgment of the Hon'ble Apex Court reported in (2012)9 SCC 446 [Ash Mohammad vs. Shiv Raj Singh & Anr.].

Apart from the aforesaid facts and circumstances, I find that there has been no change in circumstances from the date of the passing of the aforesaid order i.e. 20.09.2017 till date so as to warrant re-consideration of the prayer of the petitioner for grant of regular bail, hence, the present petition is dismissed.

(Mohit Kumar Shah, J)

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