

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56776 of 2018

Arising Out of PS.Case No. -186 Year- 2017 Thana -NAUGACHIA District- BHAGALPUR

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Vijay Yadav S/o Late Suresh Yadav, R/o vill.- Rasalpur, P.S.- Naugachia,
District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Naugachia P.S. Case No. 186
of 2017 instituted for the offence under Sections 147, 148, 149, 302,
120(B) of Indian Penal Code and Section 27 of the Arms Act.

In the written report it is alleged that on the date of
occurrence, this petitioner and other accused persons surrounded the
informant and his brother. It is further alleged that Abhishek Raman @
T.N. Yadav fired with pistol on brother of the informant. The brother of
the informant run away towards orchard in order to save his life after
receiving gun shot injury. It is further alleged that this petitioner along
with other accused persons followed him making indiscriminate firing
on account of which, the brother of the informant had sustained several
injuries due to indiscriminate firing near orchard and died on the spot.

Counsel for the petitioner submits that there is no specific



allegation of firing against the petitioner. He further submits that co-accused Abhishek Raman has already been granted bail by the court below vide order dated 22.02.2018 passed in Bail Application No. 45 of 2018 (Annexure-3).

Case diary has been received.

The post mortem report is available in the case diary wherein the Doctor has found total 12 ante mortem injuries on the person of the deceased.

Learned counsel for the informant has appeared and submitted that six entry and six exit injuries were found on the person of the deceased.

The post mortem report supports the allegation that deceased was brutally murdered by indiscriminate firing made by the accused persons.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected.

(Sanjay Priya, J)

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