

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55000 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -PIRBAHOR District- PATNA

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Vikky Yadav S/o Sri Mohan Yadav R/V - Bhawar Pokhar, P.S.- Pirbahore,
Distt.- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 08-01-2018 Heard the counsel for the petitioner, the
informant and the State.

The petitioner seeks bail in connection with
Pirbahore P.S. Case No. 128 of 2017 dated 27.03.2017 instituted
for the offences under Sections 307, 386, 341, 504, 506, 34 of the
Indian Penal Code. Later, Section 302 of the Indian Penal Code
was also added.

The deceased had lodged the F.I.R alleging that
the petitioner and others had come to his shop and had demanded
cigarette and chewing tobacco. When the deceased wanted to
realize money for the earlier supply, he was assaulted by all the
accused persons by means of knife, leading to his death.

Mr. Vijay Kumar Sinha, learned counsel for the
petitioner has submitted that the son of the deceased whose
statement has been recorded in para 5 of the case diary has stated



that co-accused Vikash Kumar had actually given a knife blow on his father, leading to his death. It has further been submitted that during the course of investigation, one Panpatia Devi whose statement has been recorded in para 7 of the case diary has stated that the dispute between the accused persons and the deceased took place because of losses in the game of dice.

Be that as it may, learned counsel for the informant has drawn the attention of this Court to an order passed on 03.08.2017 in Cr. Misc. No. 30196 of 2017 in the case of one Mohan Yadav, one of the co-accused of this case and the father of this petitioner, whereby his prayer for bail has been rejected by a Bench of this Court and he has been directed to renew his prayer for bail after the framing of the charge.

In that view of the matter, the prayer for bail of the petitioner is also rejected for the present with the observation that he may renew his prayer for bail after the framing of the charge.

The petition is disposed off with the aforesaid observation.

(Ashutosh Kumar, J)

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