

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20144 of 2018

Arising Out of PS.Case No. -80 Year- 2015 Thana -MANSI District- KHAGARIA

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Awadh Yadav S/o Radhe Yadav Resident of Village- Thatha, Police
Station- Mansi, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddhartha Prasad
For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)
For the informant : Mr. Satish Chandra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-07-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Mansi PS case no. 80 of 2015 instituted for the offences
punishable under Sections 307, 302, 120(B)/34 of Indian Penal
Code and section 27 of Arms Act.

The allegation is regarding the accused persons
including the petitioner herein firing gun shots resulting in death
of the husband of the informant.

The learned counsel for the petitioner has
submitted that subsequently, the informant has changed her
version and has named one Banti Yadav as the person who is
responsible for gun shot firing. Nonetheless, she has stated that her



husband has disclosed the name of Awadh Yadav i.e. the petitioner herein and one another as the persons who had killed her husband. It is further submitted that subsequently, the police has examined the two sons of the deceased and they have also not named the petitioner herein. The petitioner is said to be languishing in custody for two years.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail and submits that the petitioner is one of the accused who had fired resulting in the death of the deceased. It is further submitted that the petitioner is a veteran criminal and as many as 09 cases wherein heinous crime has been alleged to have been committed, are pending against the petitioner, hence the petitioner does not deserve to be released on bail.

Having regard to the facts and circumstances of the case and on going through the case diary, I find that there is no merit in the present petition, accordingly, the same is dismissed.

(Mohit Kumar Shah, J)

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