

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26343 of 2018

Arising Out of PS. Case No.-107 Year-2017 Thana- DAUDNAGAR District- Aurangabad

Anil Yadav S/o Naresh Yadav resident of Village - Jamuawan, P.S. -
Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 29-08-2018 The prayer for bail was earlier dismissed as
withdrawn.

The petitioner is alleged to have fired at the
deceased along with two others, leading to his death.

One Naresh Yadav is said to have fired at the
deceased from a close range from behind by a double
barrel gun. Thereafter, it has been alleged that the
petitioner and one Sunil Yadav are said to have fired
from their respective guns in and around the area of
neck and face. The post-mortem report reveals that
there are two injuries; one of entry and the other of exit
in the mandible/cranial region. The firing resorted to by
Naresh Yadav has also caused injuries on the person of
the deceased. The post-mortem report reveals that the
cumulative effect of the injuries suffered by the
deceased led to his death.

Mr. Krishna Prasad Singh, learned senior
advocate has submitted that one of the associates of the



petitioner viz. Sunil Yadav was killed at the hands of the informant and others for which a case was lodged against them. In the aforesaid case, the accused persons have been granted bail. He has further submitted that in the process of killing Sunil Yadav, an associate of the petitioner, the deceased of this case also received injuries and died. It has further been submitted that though post-mortem report speaks of injuries in the mandible/cranial region, it is silent about whether the cause of death was because of the injuries suffered by the deceased in the cranial region. Apart from the aforesaid facts, it has been submitted that the petitioner has remained in custody for about a year and only charges have been framed in this case.

Considering the aforesaid facts specially the allegation of firing on the petitioner also, I am not inclined to grant bail to him for the present.

The petitioner may renew his prayer for bail after some of the important/material witnesses are examined in this case.

With the aforesaid observation, the petition is disposed off.

(Ashutosh Kumar, J)

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