

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38787 of 2018

Arising Out of PS.Case No. -80 Year- 2018 Thana -DARBHANGA SADAR District-
DARBHANGA

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Laxaman Yadav S/o Ram Narayan Yadav, R/o Vill.- Bela Yakub, P.S.-
Bahadurpur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Subhas Singh

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sadar P.S. Case No.80 of 2018 registered for the offences
punishable under Sections 147, 148, 149, 323, 341, 324, 307,
302 and 120B of the Indian Penal Code and Section 27 of the
Arms Act.

The allegation is that altogether nine F.I.R. named
accuseds including this petitioner took away the brother of
informant towards place of occurrence and under conspiracy
with other co-accused committed murder of the deceased.

It has been submitted that the allegation of taking



the brother of informant is omnibus against this petitioner and other co-accused. The brother of informant returned back home and again went to the place of occurrence near Dilli More (Darbhanga) where some altercation took place and someone committed murder of deceased. The petitioner was a land broker having enmity with other land broker. There is no material in the case diary to show the complicity of this petitioner in the above crime He is in custody since 18.03.2018 having clean antecedent and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

On perusal of F.I.R, I find that this petitioner is named in the F.I.R. The allegation is that he took the informant's brother towards the place of occurrence and under conspiracy with other co-accused committed murder of deceased. The petitioner was seen in the company of the deceased and other co-accused. This fact finds support from the statement of witnesses recorded in the case-diary. In the said occurrence one Md. Shoyeb, who was present with the deceased, was also brutally assaulted and in course of treatment he also died.



Considering the allegation of conspiracy in committing murder of deceased, I am not inclined to enlarge the petitioner on bail. Prayer of bail is accordingly rejected.

(Sanjay Kumar, J)

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