

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17575 of 2019

Arising Out of PS. Case No.-538 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SHIV KUMAR YADAV Son of Rambilash Yadav Resident of Village-
Kaithma, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan

For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 30-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302, 147, 148, 149 of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case in short is that the accused
persons opened fire at the father of the informant due to which
he sustained injuries and later succumbed to the injuries.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 3.12.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has falsely been



implicated in the present case due to political reason. Three persons are alleged to have fired upon the deceased including the petitioner but there are only two fire arms shot found on the body of the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is specific allegation of firing against the petitioner upon the deceased. The post-mortem report corroborates with the allegation.

Considering the same, I am not inclined to grant bail to the petitioner in connection with Muffasil P.S. Case No. 538 of 2017. The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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