

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42345 of 2019**

Arising Out of PS. Case No.-294 Year-2018 Thana- DAUDNAGAR District-
Aurangabad

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SANJAY YADAV @ SANJAY SINGH S/o Hari Shankar Yadav R/o village-
Amilona, P.S.- Jamhor, District- Aurangabad (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate.

For the Opposite Party/s: Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

6 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.12.2018 in connection with Daudnagar P.S. Case No. 294 of 2018 for the offences alleged under Sections 307, 386 and 120(B) of the Indian Penal Code, Section 27 of the Arms Act but later on Section 302 IPC was added.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having shot the informant. It is submitted that the two co-accused persons Bhola Yadav and Pramod Kumar @ Pramod Yadav at whose instance the petitioner is said to have killed the informant have been granted bail by this Court in Cr. Misc. No. 73141 of 2018 and Cr. Misc. No. 9936 of 2019 respectively. There is delay in lodging the F.I.R. on



26.08.2018 for the alleged occurrence of 23.08.2018.

4. Learned APP assisted by learned counsel for the informant opposes the petition. Learned APP refers to the post mortem report in the case diary which discloses the deceased died because of gun shot injury. He refers the statement of witnesses who has supported the prosecution story.

5. Learned counsel for the informant submits that the informant himself stated that the petitioner and the aforesaid two accused persons have shot the informant who subsequently died. Learned counsel for the informant further submits that the petitioner is accused in other cases of serious nature.

6. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The petition stands dismissed.

(Vikash Jain, J)

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