

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37077 of 2019**

Arising Out of PS. Case No.-199 Year-2018 Thana- GWALPARA District- Madhepura

SHIV SHANKAR YADAV Son of Late Barchan Yadav Resident of Village -  
Chatra, P.S.- Gwalpara (Arar O.P.), District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

3      11-09-2019                      Heard learned counsel for the petitioner and  
learned counsel for the State.

The petitioner is accused in connection with  
Gwalpara (Arar) P.S. Case No. 199 of 2018 registered under  
sections 302/34 of the I.P.C. and section 27 of the Arms Act  
pending in the Court of Judicial Magistrate, 1st Class,  
Udakishanganj, Madhepura.

Submission of learned counsel for the petitioner is  
that petitioner is innocent and has falsely been implicated in the  
present case due to land dispute between the parties. Further  
submission is that petitioner has no criminal antecedent and he  
is in custody since 24.12.2019.

Learned A.P.P. appearing on behalf of the State  
vehemently opposed the prayer of the petitioner by contending



that on perusal of the case diary, it appears that there is direct involvement of the petitioner in committing murder of the deceased. Hence, the petitioner does not deserve the privilege of bail.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

**(Arvind Srivastava, J)**

shailendra/-

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