

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75986 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- GARDANIBAG District- Patna

Dilip Yadav @ Dilip Kumar Son of Late Niranjana Prasad, Resident of
Village- Ballamichak, Police Station- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Soni Shrivastava

For the Opposite Party/s : Mr.Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Gardanibagh P.S. Case No. 176 of 2018 instituted for the
offence under Section(s) 302/120(B)/34 of the Indian Penal
Code and Section 27 of the Arms Act.

In the written report, it is alleged that on the date of
occurrence the petitioner along with co-accused Dinesh Yadav,
Dilip Yadav, Ram Pravesh Yadav and Tarun Yadav made
indiscriminate firing with country made pistol causing injury to
the brother of the informant, namely, Dinanath Yadav @ Dina
Gope and his other relatives, namely Raju Yadav and Vijay
Yadav. The informant was at that time talking with all of them
and after hearing the sound of firing he hide himself behind tree



and saved himself but he has seen the occurrence. He has further stated that two unknown persons were also accompanying the above named four accused persons. Thereafter, he took his injured brother to hospital where he was declared dead in PMCH and two other injured, namely, Raju Yadav and Vijay Yadav were admitted in Paras Hospital in serious condition.

Case diary has been received, wherein, injury report of both the injured(s), namely, Vijay Yadav and Raju Yadav are available at paragraph nos. 125 and 126 of the case diary. The doctor has found firearm injury on their persons which is grievous in nature. The postmortem report of the deceased is mentioned in paragraph 103 of the case diary, wherein, doctor has found firearm injury on the person of deceased and cause of death has been assigned due to aforesaid reason.

In such circumstances, there is serious allegation against this petitioner. One person died and two persons sustained firearm injuries in the occurrence committed by petitioner with other accused persons.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

The petitioner is custody since 15.05.2018.



Trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of copy of this order.

Petitioner may renew his prayer for bail in the event trial is not concluded within the aforesaid period.

(Sanjay Priya, J)

shyambihari/mu
kesh-

U		T	
---	--	---	--

