

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11251 of 2020

Arising Out of PS. Case No.-273 Year-2019 Thana- MANSI District- Khagaria

Rajesh Yadav S/o Kapileshwar Yadav @ Late kapleshwar Yadav R/o village-
Sahorwa, P.O.- Siswa, P.S.- Chautham, District- Khagaria ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Rakesh Kumar Ranjan, Advocate
For the Opposite Party : Mr.Abhay Kumar Roy, Addl Public Prosecutor
Mr. SK Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 15-09-2020 Heard learned counsel for the petitioner, the State as well as learned counsel for the informant through video conferencing.

Petitioner apprehends arrest in Mansi Police Station Case No. 273 of 2019 registered for the offences punishable under Sections 302/120B and other allied sections of the Indian Penal Code and under section 27 of the Arms Act.

Accused persons, mentioned in the FIR, are alleged to have fired causing injuries to the informant's brother Photo Yadav. Meanwhile, petitioner and other accused persons opened fire causing injury in the hand of one Md.Abdul Salman. Photo Yadav was declared dead in the hospital.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that there is general and omnibus allegation against the petitioner that he along with other accused persons fired causing injury in the hand of Md. Abdul Salman. Petitioner has filed supplementary affidavit dated 24.8.2020 disclosing that altogether he was accused in three cases, out of which he has been acquitted in two and in 3rd case he is on police bail.

Learned counsel for the State as well as the informant oppose the prayer for bail of the petitioner. It is submitted that



the petitioner has tried to get the privilege of bail by suppressing the vital facts of the case as at the time of filing of the bail petition it has been mentioned in the bail petition that the petitioner has no criminal antecedent, whereas on protest by the informant, he filed supplementary affidavit bringing on record his criminal history. Moreover, during investigation witnesses have supported the allegation against the petitioner.

In view of the nature of allegation, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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