

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26718 of 2020

Arising Out of PS. Case No.-34 Year-2019 Thana- UPHARA District- Aurangabad

RAJA YADAV S/o Late Brahamdeo Yadav Resident of Village- Dadwan,
P.S.- Uphara, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Uphara P.S. Case No. 34
of 2019, registered for the offence punishable under Section 302
of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on 17.07.2019 at about
9.00 pm, while the informant along with his son namely,
Manohar Kant Krishna @ Mithilesh Yadav working in his field,
the accused persons including this petitioner came there and
caught the son of informant. This petitioner along with other
accused persons is alleged to have fired upon the son of



informant which hit his forehead, as a result of which he died.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to previous enmity. There is general and omnibus allegation against this petitioner. Petitioner is in custody since 04.10.2019.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is one of the assailants and there is specific and direct allegation of causing firearm injury on the forehead of informant's son, as a result of which he died.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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