

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23098 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- SONBERSA District- Saharsa

Lalo Yadav, son of late Niranjan Yadav, resident of village Rakhauta, Ward No. 14, P.S. Sonbarsa Raj, Distt. Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-10-2020 Heard Mr. Binod Kumar Sinha, learned counsel for the petitioner and Mr. Surendra Kumar, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Sonbarsa Raj P.S. Case No. 191 of 2019 registered for the offences punishable under Sections 147, 148, 149, 302, 506 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

The allegation against the petitioner as per the First Information Report is that he along with other accused persons fired upon the son of the informant leading to his death.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as there is previous land dispute between the parties. Learned



counsel further submits that the informant is not an eye witness and he has only raised suspicion against the petitioner and other co-accused persons. Learned counsel further submits that similarly situated co-accused persons have been granted bail by learned A.D.J. 1st, Saharsa.

Learned counsel for the State, on the other hand, vehemently opposes the prayer for regular bail and referring to the case diary submits that grandfather of the deceased was sleeping with the son of the informant and the petitioner and other accused persons arrived at the house of the informant in night having firearm in their hands and shot fire on the deceased. Learned counsel further submits that grandfather of the deceased is an eye witness of the occurrence and he has seen the petitioner standing with firearms at the place of occurrence.

Having heard learned counsel for the parties and taking into consideration the materials on record and the statement of the grandfather of the deceased during course of investigation, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, prayer for regular bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail



after nine months if the trial does not show any progress.

(Anil Kumar Sinha, J)

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