

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34427 of 2019

Arising Out of PS. Case No.-236 Year-2014 Thana- ITARHI District- Buxar

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Sandeep Yadav Son of Late Uday Yadav @ Uday Narayan Yadav Resident of
Village - Noniapur, P.S.- Buxar (M), District- Buxar.At Present -Mitralok
Colony,P.S-Buxar (M),Distt-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 27-05-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsels for the petitioner and the
State.

The present application has been filed with a prayer
for bail in a case registered for the offences punishable under
Sections 302 and 506/34 of the IPC and Section 27 of the Arms
Act.

The prosecution case as per the fardbeyan of Sarabjit
Kumar, recorded by Dineshwar Kumar, S.H.O., Itarhi Police
Station on 05.12.2014 at 2.25 P.M., is to the effect that on the
same day, the informant along with his father, Chinta Haran
Ojha went to the domestic gas godown by his Bolero vehicle, in



the meantime, the petitioner along with four other co-accused persons came and resorted to fire causing injury on the head of the father of the informant, as a result, the father of the informant died on the spot. It is further alleged that two months prior to the occurrence, the brother of the informant was also killed in similar manner at the behest of the petitioner.

Learned counsel for the petitioner submits that only the informant is the eye-witness to the alleged occurrence and due to old enmity, the petitioner has falsely been implicated in the present case. The petitioner is languishing in custody since 16.10.2015.

Learned APP submits that the petitioner is having serious criminal antecedent and he is the main assailant.

Considering the fact that the petitioner is the main assailant, having serious criminal antecedent and the report of the trial court dated 13.02.2020, suggests that the trial is at the verge of conclusion, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected in connection with Session Trial No. 138 of 2016, arising out of Itarhi P.S. Case No. 236 of 2014, pending in the Court of learned F.T.C.-I, Buxar.



Accordingly, the present application is dismissed.

(Dinesh Kumar Singh, J)

Amrendra/-

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